

1247 LIB

L A W S

O F T H E

Island of St. *Christopher*;

From the Year 1711, to the Year 1791,

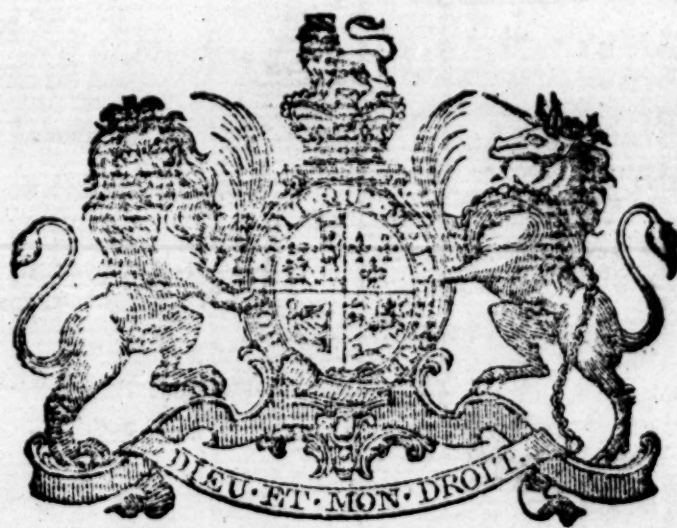
Published by Order of the

C O U N C I L

A N D

A S S E M B L Y

Of the Island, under the Inspection of a COMMITTEE of
both Houses.



SAINT CHRISTOPHER's,

Printed by EDWARD LUTHER LOW, and to be Sold by him (Price 66s.)

M D C C X C I.

L A W S

O F T H E

Island of St. Christopher

From the Year 1711, to the Year 1791

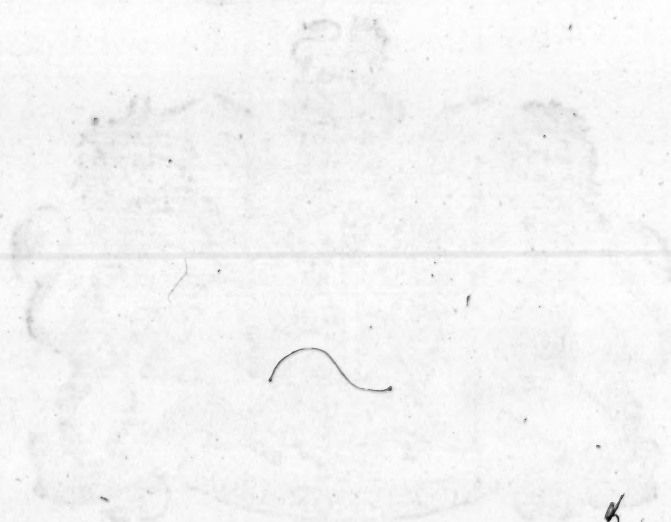
Published by Order of the

C O U N C I L

A N D

A S S E M B L Y

Of the Island, under the Inspection of a Committee of



PRINTED BY J. H. K. L. S. P. N. S.

Printed and Published by J. H. K. L. S. P. N. S.

1791

I N D E X

T O T H E L A W S

O F

St. CHRISTOPHER.

	Page		Page
<i>An Act for the better Government of Negroes and other Slaves,</i>	1	<i>An Act to prevent the casting or unloading any Ballast or Rub- bish in the Havens, Roads, or Creeks of this Island,</i>	37
<i>An Act to prevent Trespasses between Neighbours, and to regu- late the impounding of Stock,</i>	5	<i>An Act to prevent the Abuses committed in the Importation of Wheat Flour, and Bottled Liquors, into the Island of St. Christopher,</i>	38
<i>An Act requiring all Masters of Ships and other Vessels, to give Security in the Secretary's Office,</i>	6	<i>An Act for the establishing a Court of King's Bench and Com- mon Pleas, and for the better Advancement of Justice in the Island of St. Christopher; and for settling certain Fees; and repealing a former Act of the said Island, intituled, An Act for establishing of Courts, and settling due Methods for the Administration of Justice,</i>	39
<i>An Act to oblige the Members of the Council and Assembly of this Island, to meet punctually and exactly, at such Time and Place, when and so often as they shall be legally summoned; as also to serve, when duly elected,</i>	8	<i>An Act to subject all Goods and Commodities of the Growth and Produce of the late French Part of the Island of St. Christo- pher, which are or shall be shipped off from the said Island, to the Payment of the Four and a Half per Cent. Duty; and to ascertain at what Places all the Duties of Four and a Half per Cent. shall be received,</i>	53
<i>An Act for settling the Estates and Titles of the Inhabitants of this Island, to their Possessions within the same;</i>	10	<i>An Act against covinous and fraudulent Conveyances; and for a public Registry in the Island of St. Christopher,</i>	54
<i>An Act for all Public Officers putting Security,</i>	12	<i>An Act for regulating Vestries, and erecting into Parishes those Parts of this Island formerly belonging to the French; and for annexing other Parts of the said French Lands to the Parishes of St. Mary, Cayon, St. John, Capisterre, St. Ann, San- dy-Point, and Trinity, Palmeto Point: and for repealing two Acts of this Island (one made in the Tenth Year of the Reign of her late Majesty Queen ANNE, and the other in the Ninth Year of His late Majesty King GEORGE) for regulating Vestries in this Island; and for ascertaining the Bounds of every respective Parish in this Island,</i>	58
<i>An Act for regulating and appointing the Fees of the several Of- ficers and Courts in this Island,</i>	14	<i>An Act to enable the several Parts of this Island, formerly be- longing to the French, to choose and send Representatives to serve in the Assemblies for this Island; to declare and as- certain the Number of Representatives for the whole Island, what the Number each Parish shall elect, and the several Qualifications of the Electors and Candidates; to secure the Freedom of Elections: And for repealing an Act of this Island (dated the thirteenth Day of November, One thou- sand seven hundred and eleven) intituled, An Act for per- serving the Freedom of Elections, and appointing who shall be deemed Freeholders and be capable of electing, or being elected Representatives.</i>	63
<i>An Act to empower the Surveyors of the Highways, to turn the Windward common Path to the Eastward of Clay-Hill, in the Quarter of Basseterre,</i>	20		
<i>An Act for the general Quiet of the Inhabitants of the Island of St. Christopher, in their Estates and Possessions, and for avoiding of vexatious Law-suits,</i>	ibid.		
<i>An Act for the good Government of Servants, for ordering the Rights between Masters and Servants, for encouraging the Importation of Servants, for directing a due performance of Contracts, and for Payment of Wages to Artificers, Work- men, and Labourers,</i>	25		
<i>An Act for attainting several Negroes therein mentioned; and for the more effectual preventing Negroes from running away from their Masters Service; and for explaining and rendering more effectual An Act, intituled, an Act for the better Govern- ment of Negroes, and other Slaves,</i>	29		
<i>An Act for enjoining all Vessels or Persons coming from Places infected with the Pleague, Small-pox, or other contagious Dis- tempers, to perform a due Quarantine; and to prevent as much as may be the Dangers with which this Island is at present threatened, by the Small pox being already therein,</i>	32		

	Page		P. 8 ^e
<i>An Act for raising a Tax on Negroes, by the Poll, for and towards the erecting a Court-house, or public Hall, and other necessary Offices, in the Town of Basseterre, in the Island of St. Christopher; and to oblige the Secretary, and other Officers, to keep their Offices there, and give a due Attendance: And for repealing an Act made in the Tenth Year of the Reign of His late Majesty King George the First, intituled, An Act for building a Court house, or public Hall, Secretary's and other Offices, at the Town of Old Road, in the Island of St. Christopher; and to oblige the Secretary, and other Officers, to keep their respective Offices in the said Town,</i>	68	<i>An Act to alter and amend An Act, intituled An Act for raising a Tax on Negroes by the Poll, for and towards erecting a Court House and Public Hall, and other necessary Offices in the Town of Basseterre, in the Island of St. Christopher; and to oblige the Secretary and other Officers to keep there Offices there, and to give due Attendance: And for repealing an Act made in the Tenth Year of the Reign of His late Majesty King GEORGE the First, intituled, An Act for building a Court House or Public Hall, Secretary's and other Offices at the Town of Old-Road, in the Island of St. Christopher; and to oblige the Secretary and other Officers to keep their respective Offices in the said Town; and for carrying into Execution, and rendering effectual the same; and for building a Public Gaol in the said Town of Basseterre.</i>	104
<i>An Act for establishing a Market at the Towns of Basseterre, Old Road, Sandy Point, and Deep Bay, in the Island of St. Christopher; and for regulating and ascertaining the Prices of Beef, Mutton, Veal, Pork, and Turtle,</i>	71	<i>An Act to make more effectual, an Act of the Parliament of Great Britain, made and passed in the Sixth Year of his present Majesty's Reign, intituled, An Act for the better securing and encouraging the Trade of his Majesty's Sugar Colonies in America, so far as the same regards this Island.</i>	106
<i>An Act for settling and describing more clearly the Limits and Bounds of the several Parishes in this Island; And for amending an Act, intituled, An Act for regulating Vestries; and for erecting into Parishes those Parts of this Island formerly belonging to the French; and for annexing other Parts of the said French Lands to the Parishes of St. Mary, Cayon, St. John, Capisterre, St. Anne, Sandy-Point, and Trinity, Palmeto-Point, and in the ninth Year of His late Majesty King George, for regulating Vestries in this Island; and for ascertaining the Bounds of every respective Parish in this Island.</i>	75	<i>A Supplementary Act to An Act, intituled, An Act to make more Effectual An Act of the Parliament of Great Britain, made and Passed in the Sixth Year of His Present Majesty's Reign; intituled, An Act for the better Securing and Encouraging the Trade of His Majesty's Sugar Colonies in America, so far as the same regards this Island.</i>	109
<i>An Act to indemnify the Treasurer of this Island for and on account of his paying away the Public Sugars at a lower Price than they were received at.</i>	78	<i>An Act against Excessive, Deceitful, and Disorderly Gaming</i>	111
<i>An Act for reducing the Fee of Three Shillings per Sheet taking by the Secretary as Clerk in Chancery, for the Copies of Bills and Answers in the said Court, filed in the Secretary's Office, and for appointing a more reasonable Fee in the room thereof.</i>	79	<i>An Act to enable the Minister and Vestry Men, and Church-Wardens of the Parish of St. George, Basseterre, to make Sale of a certain Parcel of Land, lying in Cayon street, in the Town of Basseterre, commonly called, or accepted to be the Glebe Land of the said Parish; and to enable the Vestry Men, and Church Wardens, with the Monies arising from such Sale, and other Monies raised, or to be raised by a Parish rate, to purchase a certain Messuage, situate in College-street, in the Town of Basseterre, adjoining to the Church-yard of the said Parish, belonging to the Reverend John Bernonville; and such other Piece or Pieces of Land lying near there to, as they shall think most convenient; and to settle such Messuage and Piece or Pieces of Land, as a perpetual Manſon House and Glebe Land for the Use of the Minister of the Parish for the Time being.</i>	113
<i>An Act for preventing clandestine Marriages in the Island of St. Christopher.</i>	80	<i>An Act for Amending and Explaining An Act for regulating the Fishery of this Island, and for the better Preserving the Fresh water-Springs and Rivers within the same.</i>	115
<i>An Act to prevent all Persons, Negroes, and other Slaves, from buying and retailing Wares, and Merchandizes through the several Plantations, Towns, or Parishes of this Island; and for the preventing the Sale of Goods, Wares, and Merchandizes by Way of Lottery, and Lotteries for Money.</i>	82	<i>An Act to Explain and Amend an Act of this Island, intituled, An Act against Covenous and fraudulent Conveyances; and for a Public Registry in the Island of St. Christopher.</i>	118
<i>An Act to direct and empower the Courts in the Island of St. Christopher, in all Actions where mutual Dealings and Credits are between the Plaintiff and Defendant, to set off and discount each Party's Demand against the other, and to give judgment for the Balance only,</i>	83	<i>An Act for Punishing with Death, all Negroes and Slaves, who shall attempt to take away the Life of any White Man, or Free Person by Poison.</i>	120
<i>An Act for the more effectual cleaning and amending the Highways in this Island; and to repeal an Act, intituled, An Act for repairing Her Majesty's Highways,</i>	84	<i>An Act for the better regulating the Practice of the Law in the Island of St. Christopher.</i>	123
<i>An Act for constituting a Court Merchant,</i>	86	<i>An Act for the better Regulating of Seamen and Sailors, and obliging all Masters of Ships and other Vessels to take care of their Sick Seamen or Sailors.</i>	124
<i>An Act for reviving and making perpetual, an Act, intituled, an Act for the better regulating of Seamen and Sailors; and obliging all Masters of Ships and other Vessels, to take care of their sick Seamen or Sailors.</i>	92	<i>An Act for Enlarging and Ascertaining the Limits of the Town of Basseterre, in this Island.</i>	126
<i>An Act to regulate the Office of Provost Marshal, in the Island of St. Christopher.</i>	93	<i>An Act for the more effectual obliging the Members of the Council and Assembly of this Island, to Meet punctually and exactly, at such Time and Place, and so often as they shall be legally Summoned, as also to serve when duly Elected, and for amending An Act of this Island, made in the Tenth Year of the Reign of her late Majesty Queen ANN, intituled, An Act to oblige the Members of the Council and Assembly of this Island to meet punctually and exactly, at such Time and Place, and so often as they shall be legally Summoned, as also to serve when duly Elected.</i>	129
<i>An Act for vesting an Estate of Inheritance in Fee-simple, in such of the Inhabitants of this Island as have built or shall build Houses within the several Fortifications of Brimstone-Hill, Charles Fort, and Fort Londonderry, in the Island of St. Christopher.</i>	97	<i>An Act for the prevention and further punishment of Forgery.</i>	131
<i>An Act for the greater Security of this Island in Case of an Invasion.</i>	99	<i>An Act for the better securing the Estates and Interests of Orphans; and to oblige Executors to give Security, and to return Inventories and Appraisments into the Ordinary's Office of this Island.</i>	132
<i>An Act to explain and amend an Act passed in the Year One thousand seven hundred and twenty seven, intituled, An Act to subject all Goods and Commodities of the Growth and Produce of the late French Part of the Island of St. Christopher, which are or shall be shipped off from the said Island, to the Payment of the Four and a Half per Cent. Duty; and to ascertain at what Places all the Duties of Four and a Half per Cent. shall be received; and for making the Port of Deep Bay, in this Island, one of the Places where the said Duty of Four and a Half per Cent. shall be payable.</i>	101	<i>An Act to enable the Minister, Church Wardens and Vestry of the Parish of St. Mary, Cayon, to Exchange the Glebe Lands of the same Parish with Daniel Mathew, of Felix Hall, in the Parish of Kewdon in the County of Essex and Kingdom of</i>	
<i>An Act for regulating the Fishery of this Island, and for the better preserving Fresh Water Springs and Rivers within the same.</i>	102		

	Page		Page
of Great-Britain, Esquire, for other Lands belonging to the said Daniel Mathew, and situate in the same Parish; and for granting a perpetual Rentcharge to be Issuing out of certain Lands of the said Daniel Mathew, and Payable to the Minister of the same Parish for the time being, as an Equivalent for the said Exchange.	133	and Thomas Fraser, Esquire, Brigadier General commanding the Troops on Brimstone-Hill; and for raising a Fund instead of the remaining Part of the Fund raised by that Act; and for other Purposes thereafter mentioned.	163
An Act for the rendering Justices of the Peace more safe in the Execution of their Office, and for indemnifying Constables and others acting in obedience to their Warrant.	136	An Act for removing and preventing all Quissions and Disputes concerning all Actions, Suits, and Process, and Judicial Proceedings, lately depending in the Courts of Chancery and King's Bench and Common Pleas of this Island, and for supplying all Defects that may relate to or affect the same; and for confirming all Judicial Proceedings had and determined during the Sovereignty of the Most Christian King over this Island.	170
An Act to prevent absconding fugitive Debtors, suing for their Debts by Attornies, or assigning over their Effects to defraud their just Creditors.	138	An Act for appointing Charles Spooner, Esquire, Agent for the Island of Saint Christopher, in Great Britain; and for settling a Salary upon him during the Time of his Agency.	172
An Act to prevent Persons from concealing and embezzling the Goods and Commodities of the Sufferers, in Consequence of the late Fire in the Town of Basseterre, and from concealing or embezzling the Goods and Commodities of the Sufferers, by any further public Calamity in this Island.	139	A Supplemental Act to an Act, intituled, An Act for raising and settling the Sum of One Thousand Pounds, current Money, per Annum, upon his Excellency Thomas Shirley, Esq. Captain General and Governor in Chief in and over all his Majesty's Leeward Charribbee Islands in America, for the more honourable Support of him, and the Dignity of his Majesty's Government, during the Term therein specified, by a Duty or Tax of One Shilling, current Money, per Poll upon all Negroes and other Slaves within this Island.	173
An Act to alter and amend an Act, intituled, "An Act for the more effectual cleaning and amending the Highways in this Island, and to repeal an Act, intituled, An Act for repairing Her Majesty's Highways."	141	An Act to explain and amend an Act, intituled, An Act to repeal an Act, intituled, An Act for the just, faithful, and speedy Performance of the Fourteenth Article of the Capitulation of the Islands of Saint Christopher and Nevis, between his Excellency the Count de Gresse, Commander of his Most Christian Majesty's Naval Forces; and his Excellency the Marquis de Bouille, Governor General of the French Windward Islands; and his Excellency Thomas Shirley, Esquire, a Major General in his Britannic Majesty's Army, and Governor of the Islands of Saint Christopher and Nevis; and Thomas Fraser, Esquire, Brigadier General commanding the Troops on Brimstone-Hill; and for raising a Fund instead of the remaining Part of the Fund raised by that Act; and for other Purposes thereafter mentioned.	175
An Act to amend an Act, intituled an Act for the establishing a Court of King's Bench and Common Pleas, and for the better Advancement of Justice in the Island of St. Christopher, and for settling certain Fees, and repealing a former Act of the said Island, intituled, An Act for establishing of Courts, and settling due Methods for the Administration of Justice.	143	An Act to oblige all Owners, Renters, and Possessors of Slaves in this Island, to send a Proportion thereof to work in the Forts and Fortifications of this Island, and for carrying on the Public Works, and other Services which may be deemed necessary for the Public Safety.	148
An Act for ratifying and confirming several Alterations and Amendments made in the King's Upper High Way, in the Parish of Christ-Church, Nichola-Town, and Saint Mary, Cayon, in the Island of Saint Christopher, and for other Purposes therein mentioned.	144	An Act to prevent the Practice of firing Squibs and other Fireworks in this Island.	150
An Act to oblige all Owners, Renters, and Possessors of Slaves in this Island, to send a Proportion thereof to work in the Forts and Fortifications of this Island, and for carrying on the Public Works, and other Services which may be deemed necessary for the Public Safety.	148	An Act for raising and settling the Sum of One Thousand Pounds, current Money, per Annum, upon his Excellency Thomas Shirley, Captain General and Governor in Chief in and over all His Majesty's Leeward Charribbee Islands in America, for the more honourable Support of him, and the Dignity of His Majesty's Government, during the Term therein specified, by a Duty or Tax of One Shilling, current Money, per Poll upon all Negroes and other Slaves within this Island.	152
An Act to prevent the Practice of firing Squibs and other Fireworks in this Island.	150	An Act for ratifying and confirming several Alterations and Amendments made in the King's Upper High Way, in the Parishes of Christ-Church, Nichola-Town, and Saint Mary, Cayon, in the Island of Saint Christopher; and for other Purposes therein mentioned.	157
An Act for raising and settling the Sum of One Thousand Pounds, current Money, per Annum, upon his Excellency Thomas Shirley, Captain General and Governor in Chief in and over all His Majesty's Leeward Charribbee Islands in America, for the more honourable Support of him, and the Dignity of His Majesty's Government, during the Term therein specified, by a Duty or Tax of One Shilling, current Money, per Poll upon all Negroes and other Slaves within this Island.	152	An Act for establishing and ratifying certain Acts made by the Governor, Council, and Assembly of this Island, during the late Subjection thereof to the Crown of France.	159
An Act for ratifying and confirming several Alterations and Amendments made in the King's Upper High Way, in the Parishes of Christ-Church, Nichola-Town, and Saint Mary, Cayon, in the Island of Saint Christopher; and for other Purposes therein mentioned.	157	An Act for establishing a Court of Sessions of the Peace to be held in and for this Island.	160
An Act for establishing and ratifying certain Acts made by the Governor, Council, and Assembly of this Island, during the late Subjection thereof to the Crown of France.	159	An Act for the Encouragement of the Reverend Temple Henry Croker, in his new Invention of the Horizontal Wind Mills for grinding Sugar Canes; and for preserving the Benefit of such Invention to the said Temple Henry Croker, for a limited Time therein mentioned.	161
An Act for establishing a Court of Sessions of the Peace to be held in and for this Island.	160	An Act to prevent the cutting off or depriving any Slaves in this Island of any of their Limbs or Members; or otherwise disabling them.	162
An Act for the Encouragement of the Reverend Temple Henry Croker, in his new Invention of the Horizontal Wind Mills for grinding Sugar Canes; and for preserving the Benefit of such Invention to the said Temple Henry Croker, for a limited Time therein mentioned.	161	An Act to restrain Thefts committed by Negroe and other Slaves; and to prevent the dishonest Traffick carried on by such as deal with them.	197
An Act to prevent the cutting off or depriving any Slaves in this Island of any of their Limbs or Members; or otherwise disabling them.	162	An Act to amend and make more effectual, an Act intituled, An Act to oblige all Owners, Renters, and Possessors of Slaves in this Island, to send a Proportion of the same, to be employed on Brimstone-Hill, and the Works necessary for its Defence.	195
An Act to restrain Thefts committed by Negroe and other Slaves; and to prevent the dishonest Traffick carried on by such as deal with them.	197	An Act to amend, Explain and Render more effectual, An Act, intituled, An Act, for regulating and laying a Tax on all Vintners, and Retailers of Spirituous Liquors; for laying a Duty on Rum sold by Retail, for lessening the Number of Distillers; and for the more effectual Prevention and Discouragement of such Vintners and Retailers of Spirituous Liquors, from bartouring, entertaining, and concealing Soldiers, Sailors, and Negroes and other Slaves; and for laying a Tax on Billiard-Tables, Shuffle-Boards, and Skittle-Alleys.	200
An Act to amend and make more effectual, an Act intituled, An Act to oblige all Owners, Renters, and Possessors of Slaves in this Island, to send a Proportion of the same, to be employed on Brimstone-Hill, and the Works necessary for its Defence.	195		

and then the first thing I saw was
the old man sitting in the chair
and looking at me with a smile.

He was a very old man, with
white hair and a long white beard.
He was wearing a dark suit and a
white shirt with a dark tie.

He was sitting in a high-backed
chair, and he was looking at me
with a smile. He was very friendly
and he was very kind.

He was very old, but he was
very strong. He was very healthy
and he was very happy. He was
very kind and he was very friendly.

He was very old, but he was
very strong. He was very healthy
and he was very happy. He was
very kind and he was very friendly.

He was very old, but he was
very strong. He was very healthy
and he was very happy. He was
very kind and he was very friendly.

He was very old, but he was
very strong. He was very healthy
and he was very happy. He was
very kind and he was very friendly.

He was very old, but he was
very strong. He was very healthy
and he was very happy. He was
very kind and he was very friendly.

He was very old, but he was
very strong. He was very healthy
and he was very happy. He was
very kind and he was very friendly.

and then the first thing I saw was
the old man sitting in the chair
and looking at me with a smile.

He was a very old man, with
white hair and a long white beard.
He was wearing a dark suit and a
white shirt with a dark tie.

He was sitting in a high-backed
chair, and he was looking at me
with a smile. He was very friendly
and he was very kind.

He was very old, but he was
very strong. He was very healthy
and he was very happy. He was
very kind and he was very friendly.

He was very old, but he was
very strong. He was very healthy
and he was very happy. He was
very kind and he was very friendly.

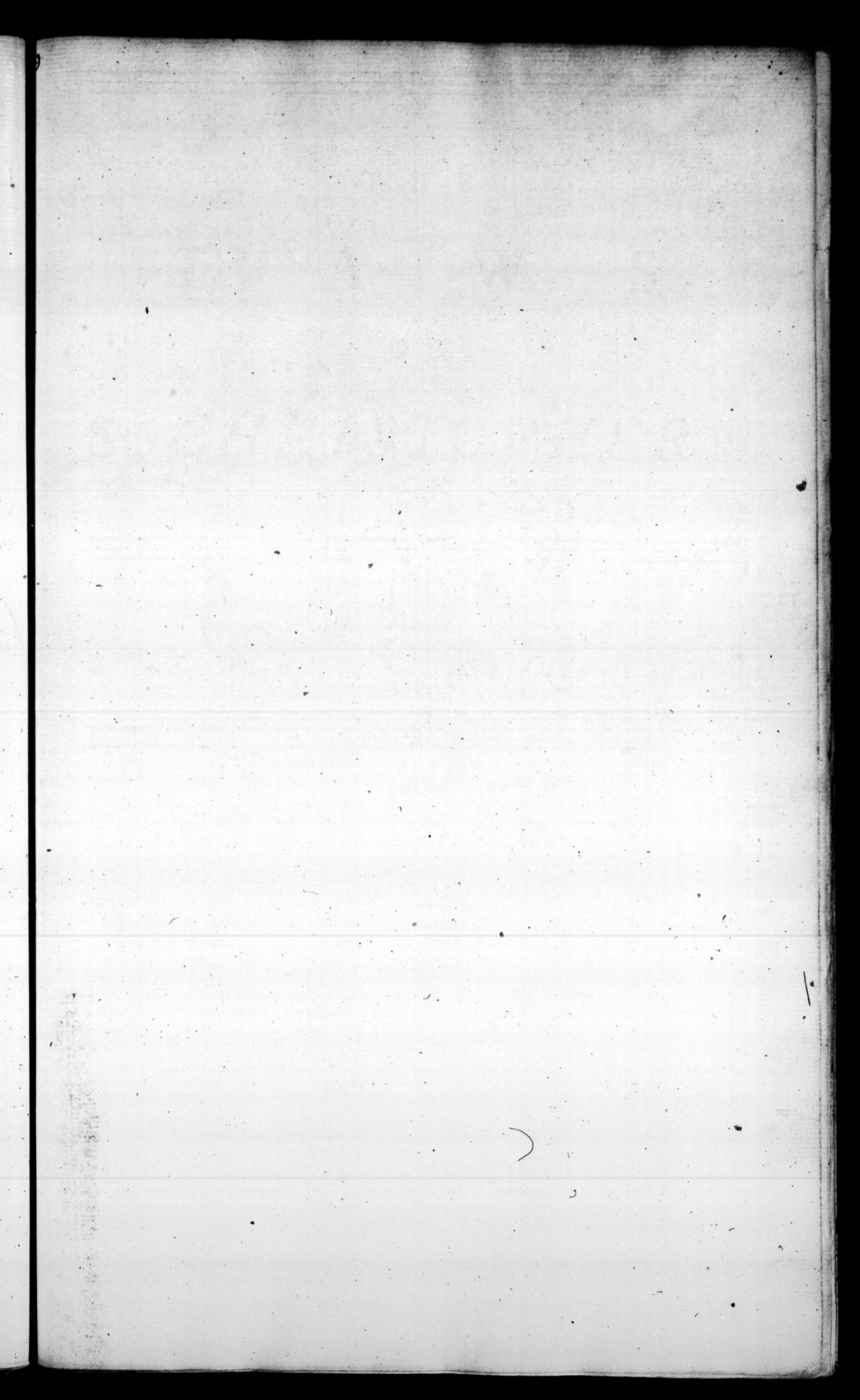
He was very old, but he was
very strong. He was very healthy
and he was very happy. He was
very kind and he was very friendly.

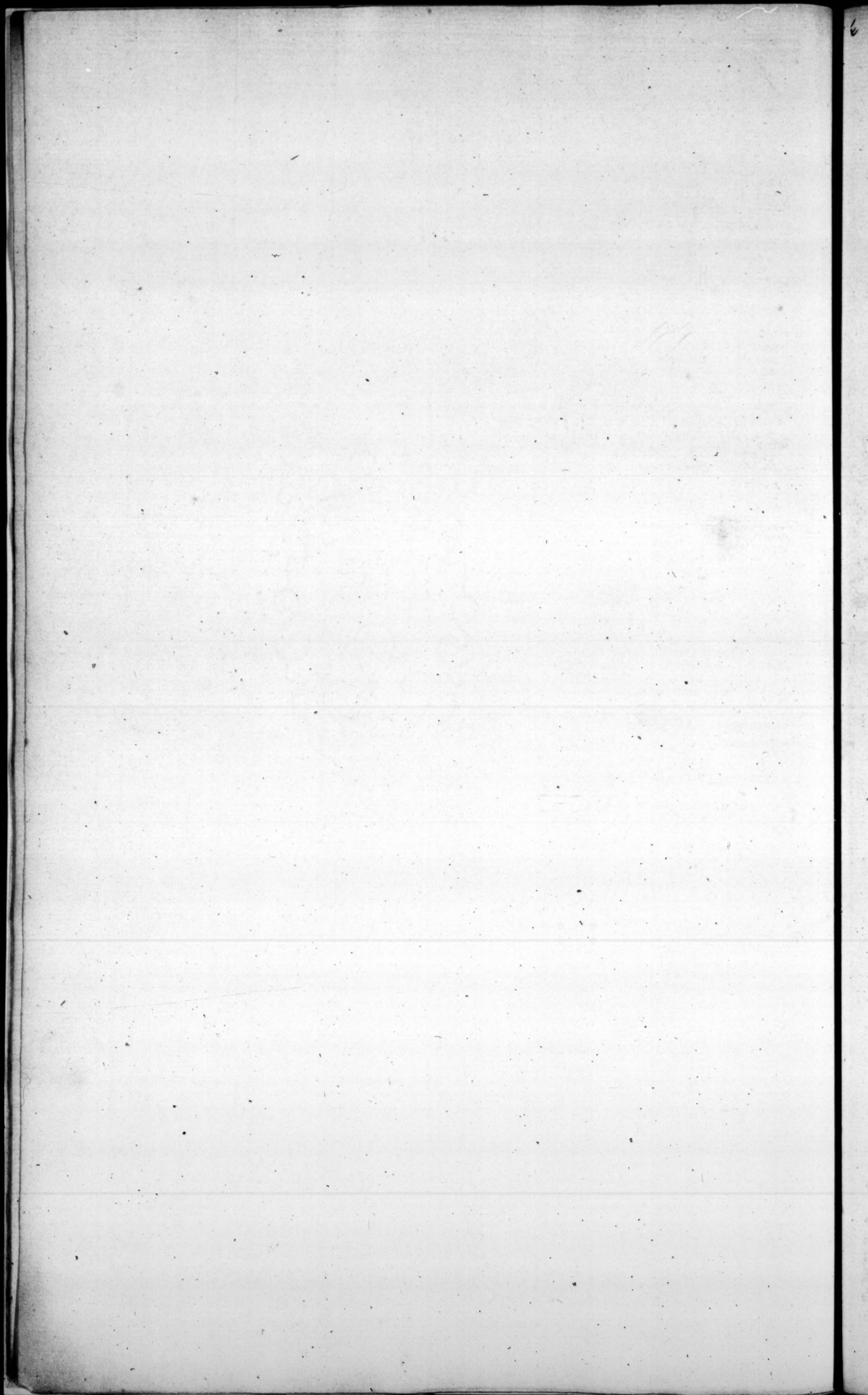
He was very old, but he was
very strong. He was very healthy
and he was very happy. He was
very kind and he was very friendly.

He was very old, but he was
very strong. He was very healthy
and he was very happy. He was
very kind and he was very friendly.

He was very old, but he was
very strong. He was very healthy
and he was very happy. He was
very kind and he was very friendly.







THE
LAWS
OF

St. CHRISTOPHER'S.

No. 1.

*An Act for the Establishing Courts; and settling due Methods for the Administration of Justice in this Island.**

No. 2.

*An Act for the better Government of Negroes, and other Slaves.**

WHEREAS the Behaviour of Negroes and other Slaves in this Island, has of late, and particularly since the War, been more insolent; and their Villanies more frequent and notorious than ever heretofore: Therefore, for their better Government for the future, We, your Majesty's most dutiful and loyal Subjects, the Governor in Chief of all your Majesty's Leeward *Charribbee* Islands in *America*, the Lieutenant Governor and Council of St. *Christopher's*, together with the Assembly of the same, humbly pray Your Most Excellent Majesty that it may be Enacted and Ordained, and be it, and it is hereby Enacted and Ordained, by the Authority aforesaid, That from and after the Day of the Date of this Act, it shall and may be lawful for any Justice of the Peace of this Island, upon Complaint made to him of any Felonies, or other Crime committed by any Negro, or other Slaves whatsoever, on this Island, to issue out his Warrant for apprehending of the Offender or Offenders, and him or them, within the Term of Three Days after his or their being in Custody, taking to his Assistance one other Justice of the Peace, near the Place where the Offence shall be committed, without a Jury, to hear, examine, try, award, and appoint Pains, Penalties, and inflict, or cause Execution to be done, as to Life or Limb, or other Punishment, by Warrant under their Hands and Seals, in which they are to regulate themselves to the known Laws and Practice of the Courts in *England*, in all Criminal Cases; any Statute, Law, or Usage to the contrary notwithstanding.

II. And be it further Enacted, by the Authority aforesaid, That if any Person or Persons whatsoever do, by Force or Persuasion, carry off from this Island any Negro or other Slave, other than his own; or such as he or they may be lawfully interested in, or possessed of, he shall be guilty of Felony, and be debarred the Benefit of Clergy.

1711.

** Repealed by the
sixty 1st Act of
the 1st of Geo. 3^d
in 1724. Vide
No. 59.*

** This Act not being
sufficiently
effective
was amended
and confirmed by
an Act of Geo. 3^d
in 1722
Vide No 59.
Clause 7.*

*Justices to issue
out Warrants to
apprehend Of-
fenders.*

*Two or more
Justices, within
three days after
Offender's being
in Custody, to
hear, try, &c.
without Jury.*

*Carrying off of
the Pe 1st of Geo.
groes Felony.*

1711.

Penalty on dealing with Negroes.

By act No. 52. Clause Nineteen, dealing with Negroes without a Ticket for above 20s. is made Fe- lony.

Punishment of a Negro for striking or wounding a white Person.

Penalty on har- bouring run-a- way Slaves.

If the Owners be not known Slaves to be committed to the Custody of the Marshal.

Penalty on Mar- shal refusing to receive such Slaves, &c.

Penalty on Mar- shal suffering them to escape, or perish for want of Provisions.

Proviso that the Owner shall pay Marshal his Fees and expences.

Negroes in Pris- on Three Months to be sold at pub- lic Outcry, for their Fees, &c.

Overplus to be paid to Owner if he appears.

Persons not lia- ble to any Prose- cution for kill- ing a Negro in their own De- fence, &c.

III. AND be it further Enacted, by the Authority aforesaid, That if any Person or Per- sons whatsoever shall presume, by themselves, or others under him or them, to trade, traf- fick, or deal with any Negro, or other Slaves, for Sugar, Syrrup, Molosses, Indigo, Tobac- co, Ginger, Cotton, Copper, Brass, Pewter, or any other Goods, Merchandize, or any Stock or Poultry whatsoever, without the Knowledge or Consent of the said Master, or Owner of such Negro, or other Slave or Slaves, signified by a Note in Writing, or by sending some white Person with the said Negro, or other Slave or Slaves; upon Complaint made to the next Justice of the Peace, the Person or Persons so offending shall be bound to his or their Behaviour, and to appear at the next Quarter-Sessions of the Peace to be held for this Island, and there be fined, as the Court shall think fit, not exceeding Twenty Pounds, or double the value of the Goods so clandestinely bought.

IV. AND be it further Enacted, by the Authority aforesaid, That if any Negro, or other Slave, oppose, struggle with, or strike any white Person whatsoever, upon Complaint made to the next Justice of the Peace, the said Negro, or other Slave, so offending, shall be pub- licly whipt by the Constable of that Division, or some other Person which the said Justice shall appoint to do the same, at the discretion of the said Justice; but in case such white Person be hurt, wounded, bruised, or maimed by such Negro, or other Slave, then, and in such case, the Negro, or other Slave, shall be sentenced and adjudged to Death, dismember- ing, or such other Punishment as two Justices, in their Discretion, shall think fit.

V. AND, for the better preventing of the running away of Negroes, and other Slaves, as also to hinder and obstruct evil-minded People from entertaining them; be it further En- acted, by the Authority aforesaid, That what Person or Persons soever shall, for the future, harbour or entertain any Negro or other Slave, other than his own (being run-away above twenty-four Hours) and not give the Owner, if to him known, an Account of such Negro, or Slave, being in his Custody, shall pay unto the Owner of such Slave, if a common Field Negro, twelve Shillings; if a Tradesman, twenty Shillings, for each twenty-four Hours after the first Hour of such run-away Negro, or other Slave, being in his, her, or their Custody; but if the Master shall not be known, then the Party, in whose Custody such run-away Negro, or Slave shall be, shall carry him or them to the Provost Marshal of the Island, or his lawful Deputy for the Time being, who is hereby obliged to receive him or them into his Custody, and pay the Bringer twelve Shillings for taking up each such run-away Negro, or other Slave; and nine Pence PER Mile, for as many Miles as each such Negro, or other Slave, is brought to the Gaol, from the Place where he or they were taken; and the Marshal is to keep the said Negro or other Slave, so run-away, in safe Custody, and by a List (to be set up at the Prison Door, or some other Public Place) insert the Names of such Negroes, or other Slaves, that are in his Custody, their Age, and other Marks, as also their Master's Names, if known, and if the Marshal, or his Deputy, shall refuse to pay the Bringers aforesaid, or receive the Negro, or other Slaves, or neglect to put their Names in the List, he or they shall forfeit and pay for every such Offence the Sum of Six Pounds Current Money.

VI. AND, in case the said Marshal, or his Deputy, shall neglectfully, or willingly suffer such Negro, or other Slaves, to escape, or shall put them to work, he shall forfeit and pay to the Owner, for every Twenty-four Hours Absence of such Negro, or other Slave, who hath escaped by the said Marshal's Negligence or Wilfulness, the sum of Twenty Shillings cur- rent Money: And in case any Negro, or other Slaves, perish for want of Provisions, he shall forfeit and pay unto the Owner of such Slave Fifty Pounds current Money.

VII. PROVIDED always, That the said Marshal shall, upon Delivery of any Negro, or other Slave, to their respective Master, or Owner receive from him or them the Twelve Shill- ings paid for taking each Negro, or other Slaves, and the nine Pence PER Mile; and for every Twenty-four Hours he or they have been in his Custody, shall receive Twelve Pence: And if any Negro, or other Slave, shall happen to lie so long in Prison as Three Months, such Negro, or other Slave, or Slaves, are to be taken out of Prison, and sold at Public Out- cry, for the Fees and Charges aforesaid, by Warrant under the Hands and Seals of Two Justices of the Peace; and the Overplus, if any, after the Payment aforesaid, to the Owners, if known, otherwise to the Treasurer for the Time being, for the use of the Public, till the Owner shall appear, to whom the Treasurer shall be obliged to account, and pay what re- mains in his Hands, all necessary Charges being first deducted; and the Marshal, or his law- ful Deputy, is hereby enjoined to give Notice to one or more Justices, when the Term of Three Months is expired, for each such Negro, or other Slave, or forfeit and pay for each and every such Neglect the Sum of Four Pounds current Money.

VIII. AND be it further Enacted, by the Authority aforesaid, That if any Person or Per- sons shall kill a Negro, or other Slave, in just Defence of his Person or Property, or in his Pursuit of such Negro, or other Slave, being run-away, or broke out of Prison, and resisting or refusing to submit; such Person or Persons shall not be liable to any Prosecution, Mo- lestation, or Damage whatsoever, either in Law or Equity; any Law, Usage, or Custom to the contrary notwithstanding.



IX. AND be it further Enacted by the Authority aforesaid, That from and after the Publication of this Act, whensoever any Negro, or other Slave, shall be taken and condemned for any Crime, Offence, or Misdemeanour by him or them committed, that before execution do pass upon them, any or either of them, that they shall be valued and appraised by two neighbouring Freeholders, by Warrant under the Hands and Seals of the two next Justices of the Peace; which said Appraisers are hereby directed not to value or estimate any such Negro, or other Slave; of what Quality, Condition, Age, Circumstance, or Estate soever he, or she, or they be; for more than the Sum of Five thousand Pounds of Sugar for each and every Slave executed; but in case of Disability, as Lameness, by having but one Limb, or being otherwise incapable of Service, then the said Estimation or Valuation to be less, according to the Conscience, best Skill and Judgment of the said Appraisers, upon their Oaths, to be given before the next Magistrate, before their Return of their Report.

1711.

Condemned
Slaves to be ap-
praised.Vide Act No.
180.

X. AND because it seems just and reasonable, that an equal and fair Distribution should be made by and between the Parties Sufferers; of the Valuation or Appraisement of such condemned Negroes, as aforesaid; be it further Enacted and Ordained by the Authority aforesaid, That after Execution done upon such Negro or Negroes, or other Slave or Slaves, that the Treasurer of this Island for the Time being shall be obliged to pay the Appraisement of the Value of such Slave or Slaves so executed in Manner as aforesaid, in Manner and Form following; that is to say, Three thousand of the said Five thousand Pounds of Sugar unto the respective Owner or Owners of such Slave or Slaves so executed, and the other Two thousand thereof to the respective Person or Persons so robbed, plundered, prejudiced, or damaged as in and by this Act is directed.

Value of such
Slaves how to be
distributed.

XI. PROVIDED always; That the Damages sustained in the Felony committed by such Negro executed; do amount to the Value of Two thousand Pounds of Sugar, which Damages shall be enquired of by the said Justices who tried the said Slave, either by the Oath of the Party, or by such other Means, as shall be thought most likely to find out the Truth, otherwise the Surplusage, or the Valuation of such Damage, to redound to the Owner or Proprietor of such Slave or Slaves so executed.

Provided

XII. AND in regard great Neglect and Delay hath been made heretofore by the Provost Marshal of this Island, in the due Execution of his Office upon the Body of such Criminals as aforesaid; Be it Enacted by the Authority aforesaid, That the Provost-marshal of this Island for the Time being, or his lawful Deputy, upon notice given him from the Justices of Peace, or either of them, who awarded the execution, of the Time and Place, when and where any Negro-malefactor is to be executed, that he or they do not fail to attend the Discharge of their Duty and Function, under the Penalty of Ten Pounds current Money; to be levied by Warrant of Distress upon the Goods and Chattles, to be signed and sealed by the next Justice of the Peace, directed to the Constable, and immediately to be sold at Outcry; and for want of Assets, such Marshal, or his Deputy, so offending, to be committed to the public Gaol, by Warrant under the Hand and Seal of the next Justice of Peace, directed to the Constable; and for each and every such Execution so done and performed by the Provost-marshal, or his lawful Deputy, they shall be paid the Sum of Five hundred Pounds of Sugar, to be allowed out of the Sum, for which such Negro so executed shall be appraised at; or in the Absence or Neglect of the said Marshal, and his Deputy, whosoever, being lawfully appointed, shall do, or cause Execution to be done upon the Body of such Criminal or Malefactor as aforesaid, upon Certificate thereof from the Justice or Justices who awarded the Execution, he or they shall receive the benefit of the said Sum of Five hundred Pounds of Sugar, to be paid in Manner as aforesaid.

Penalty on Mar-
shal refusing to
attend the Execu-
tion of any
Criminal.And for want of
Assets to be com-
mitted to the
public Gaol.Provost Ma-
shal shall be paid 500
lbs. of Sugar for
each Execution.

XIII. AND, forasmuch as the Negroes, and other Slaves, upon committing any Crime, frequently escape to the Mountains, so that they cannot be taken in a long Time, be it further Enacted, by the Authority aforesaid, That what Negro, or other Slave soever, shall at any Time hereafter commit a Felony; or other Crime, and shall absent him or themselves, so that he or they cannot be taken and brought to Trial in the Space of four Months after the Crime committed, every such Negro, or other Slave, shall be, and is by virtue of this Act, declared to be out-lawed; and if the Master or Owners of such Negro, or other Slave, be a Means of the hindering their being brought to Trial, every such Master or owner is hereby foreclosed and debarred of having any Benefit by this Act, or of receiving any thing for such Negro, or other Slave, if killed or brought to Trial by any other Means; and if any Person shall send off his Negro, that hath killed another, he shall pay unto the Owner of such Negro so killed, as aforesaid.

Negroes escap-
ing, to be out-
lawed in four
Months.Masters hinder-
ing their Negroes
being brought to
Trial to be de-
barred the bene-
fit of this Act.
A person sending
his Negro off
that hath killed
another to pay
the Owner of
such Negro kill-
ed as aforesaid.

XIV. AND, be it further Enacted, by the Authority aforesaid, That no Retailer or Retailers of Strong-liquors, shall, after Publication hereof, on SUNDAYS, or Holy-days, sell any Liquor or Liquors, of what Nature or Quality soever, to any Slave, or Slaves, under Pain and Penalty of Three Pounds current Money for every such Offence so committed; and all Justices of the Peace, and Constables, are hereby required, and fully empowered to disperse all unusual Concourses of Negroes in or about the Towns, or elsewhere, on SUNDAYS,

Penalty on sell-
ing strong Li-
quors to Slaves
upon Sundays,
&c.Justices and Con-
stables required to
disperse Negroes
on Sundays &c.

OR

1711. or other Holy-days; and to take up, or cause to be taken up, all Negroes, who shall be found armed with Clubs, or other offensive Weapons, or playing at Dice, or other unlawful Sports, or drinking in the Public-houses; and such Negroes so taken up, shall be publicly whipt, not exceeding thirty Stripes.

And to take up those armed with Clubs, playing at Dice, &c.

Justices to make for their necessary Orders.

XV. AND, because it is not possible to foresee and provide against all the Difficulties that may happen in the Execution of this Act; Be it Enacted, by the Authority aforesaid, That the Justices of the Peace, in their Sessions, may, from Time to Time, make and publish such further Orders and Regulations, as shall be found necessary for the better Government of Negroes.

Reward for apprehending Slaves absconding in the Mountains in order to go over to the French, and bringing them to the Provost-Marshal, &c.

XVI. AND, whereas lately sundry Negroes, and other Slaves, have deserted their Masters and Owners, and have withdrawn themselves into the late *FRENCH* Quarter and there absconded themselves in the Grounds called the *SALT PONDS*, and in other Grounds lying to windward of *FRIGATE BAY*, with design and Intent not only to go over themselves to the Enemy, when Opportunity shall present, but also to persuade and intice other Negroes and Slaves to go with them, to the Prejudice of the Owners, and the public Good and Welfare of this Island; be it therefore Enacted and Ordained, by the Authority aforesaid, That what Person or Persons soever, either white or black, free or bond, shall take or apprehend such Negro or Negroes, or other Slave or Slaves, so absconding, as aforesaid, in such Lands or Mountains about the *SALT PONDS*, or to windward of *FRIGATE BAY*; all and every such Person or Persons, so taking and apprehending such Negro, or other Slave or Slaves, and bringing them safe to the Provost-marshal, or his lawful Deputy, shall receive, as a Reward for taking and apprehending each and every such Negro or Negroes, Slave or Slaves, the Sum of twenty Pieces of Eight, to be paid by the Master or Owner of such Negro or Negroes, or other Slave or Slaves, so taken, as aforesaid; and the Provost-marshal, or his lawful Deputy, to be paid their Fees of Commitment, for such Slave or Slaves, as aforesaid, by their respective Owners; and such Slave or Slaves so committed, to remain in Custody in the common Gaol, until the Money and Fees be paid and discharged in Manner as aforesaid; and upon written Publications, put up in the most convenient Places of this Island by the Provost-marshal or his lawful Deputy, of such Negroes so taken up in Manner as aforesaid, and giving the best and fairest Descriptions possible, of their Persons, Marks, Features, and Countries, in case the Owner or Owners of such run-away Slave or Slaves, so taken up, and in Custody, as aforesaid, shall not, within one Month's Time after such Publication put up, come in, and lay his, her, or their Claim or Claims to such run-away Slave or Slaves, so taken up, and in Custody, as aforesaid, and make his, her, or their just Right and Property thereunto; then and in such Case, the said run-away Slave or Slaves shall be sold at public Outcry by the Provost-marshal, or his lawful Deputy, and the Money and Charges deducted thereout, the Overplus to remain in the Hands of the Treasurer of this Island for the Time being, for and during the Space of twelve Months, for the Use of the Owner or Owners of such Slave or Slaves, as aforesaid; and if none such appear within that Time; then such Overplus to be employed for the Use of Her Majesty's Fortifications in this Island.

Owners to pay Fees of Commitment to the Marshal.

Slaves to remain in Gaol until Fees are paid.

Owners to Claim Slaves in one Month after Publication made of their being taken up, or they are to be sold at public Outcry.

Penalty on Justice neglecting his Duty.

How to be applied.

Justices to fine Constables, &c. at their Discretion, where no Penalty is mentioned.

XVII. AND be it further Enacted, by the Authority aforesaid, That if any Justice of the Peace within this Island shall neglect or refuse to perform his Duty, as by this Act he is enjoined and required, he or they, so offending or neglecting, shall forfeit and pay for every such Neglect or Refusal the Sum of Twenty Pounds current Money; to be sued for and recovered in any of Her Majesty's Courts within this Island; the one Half to the Informer, and the other Half towards the Fortifications of this Island.

XVIII. And where any Clause of this Act requires the Marshal, or his Deputy, or the Constable, to do or perform any Duty, where a Penalty is not already mentioned, he or they so neglecting or refusing to do the same, the Justice or Justices, before whom the matter lies, shall fine such Person or Persons for each such Offence, according to their Discretion, not exceeding Ten Pounds current Money; and such, and all other Penalties arising by virtue of this Act, not directed how to be levied or disposed of, shall be levied by Warrant under the Hands and Seals of two Justices of the Peace, on the Goods and Chattels of the Party or Parties so offending, by the next Constable, and sold at public Outcry, rendering the Overplus, if any, to the Owner; the Fines and Forfeitures to be the one Moiety to the Informer, the other to Her Majesty's Use, and applied to the Fortifications of this Island.

No. 3.

Expired. An Act to regulate and settle the Militia of this Island; to mount the Guards, go the Rounds and Petty-Rounds, and do their Duty in their Turns, as shall be ordered them.

No. 4

No. 4.

1711.

An Act for selling strong Liquors by Retail; and taking out Licences.

Expired.

No. 5.

An Act for raising a Levy, to defray the public Charges of this Island.

Expired.

No. 6.

An Act to prevent Trespasses between Neighbours, and to regulate the impounding of Stock.

IN Consideration of the many Trespasses and Damages which the Inhabitants daily sustain by the Abundance of Stock, to the great Detriment of Your Majesty's Subjects in this Island: For Prevention whereof for the future, we, Your Majesty's most dutiful and loyal Subjects, *WALTER DOUGLAS*, Esquire, Captain General, and Governor in Chief in and over all Your Majesty's Leeward *CHARRIBBEE* Islands in *AMERICA*, together with the Lieutenant Governor, Council, and Assembly of the same; do most humbly pray Your most Excellent Majesty that it may be Enacted; and be it, and it is hereby Enacted and Ordained, by the Authority aforesaid, That all the Inhabitants, which are Owners or Possessors of any Land or Plantations within this Your Majesty's Island, shall be from henceforth obliged to make and keep in good Repair, a sufficient Fence or Barricado, on the Eastward or Windward Side, and at the Head of all their Lands or Plantations, and also to all common Paths or Highways running through the said Lands, under Penalty of the Forfeiture of Fifty Pounds current Money, or the Value thereof in Sugar, for each and every Person that shall neglect or refuse to make such Fences within Six Months after the Date of this Act, or at any Time after the said Six Months, to repair such Fences within Ten days after notice given them and likewise that such Person or Persons as aforesaid (during such Time of their Neglect) shall be excluded from having any Benefit or Advantage by this Act, for any Damage sustained by Means of the Trespasses committed as aforesaid.

Preamble.

Penalty on Persons not keeping good Fences.

II. AND be it further Enacted, by the Authority aforesaid, That whatsoever Person or Persons shall clandestinely break down, destroy, or carry away, any Rails or Fences, set up or made for the Prevention of Damages as aforesaid, and be convicted thereof by sufficient Witness before a Justice of the Peace, the Person so offending shall pay such Fine as the said Justice shall order; and in Default, or Refusal of Payment of such Fine imposed, the said Justice may order corporal Punishment to be inflicted, not exceeding Thirty Lashes on their bare Back, or to be set about Four Hours in the Stocks; and that if any Horse, Beast, Mule, or Ass, shall forcibly break down the said Fences, the Owners of such Beast or Beasts, &c. as aforesaid, are hereby obliged to repair the said Fences, and pay such Damages, as shall be adjudged by Two indifferent Neighbours, to be thereupon empowered by a Warrant under the Hand and Seal of the next Justice of the Peace; and in case the Persons so duly appointed and summoned, shall refuse, or neglect to make his or their Appearance at the Time and Place by the Warrant appointed, and refuse to execute and perform the said service (showing no lawful Cause to be approved of by the said Justice) shall, severally, for every such Contempt, forfeit the Sum of Twenty Shillings, to be levied by Warrant of Distress from any of Her Majesty's Justices of the Peace: And, if any Person or Persons shall refuse to make Payment or Satisfaction for such Damages determined as aforesaid, with Charges, not exceeding Six Pounds current Money, it is hereby declared to be lawful for the said Justice to issue forth a Warrant of Distress to the Provost Marshal, or his lawful Deputy, to be executed on any the Goods of the Offender, as near as may be to the Damages; who is hereby directed to make Sale thereof by public Outcry, and, Satisfaction being first made to the Party aggrieved, the Marshal shall receive to himself out of the said Goods the Sum of Six Shillings, for Discharge of his Office, returning the Overplus, if any, to the Owner; but if the Damage exceeds Six Pounds, the same shall be recovered by Action of Trespass in any Court of Record within this Island.

Penalty on breaking down such Fences.

Owners of Beasts &c. breaking down Fences to repair the same and to make good such Damages as shall be adjudged by two indifferent Neighbours.

Penalty on Persons not obeying Justices Warrant.

To be levied by Warrant of Distress.

Damages exceeding Six Pounds to be recovered by Action of Trespass.

III. AND, for the better securing all Manner of Stock that shall be taken up for trespassing, be it further Enacted by the Authority aforesaid, That every Person's Private Penn upon

Stock how to be secured.

1711.

Notice to be given to Owners.

his Plantation, and such as shall be used instead of a Pound; and such as have no Penn, may secure any Stock trespassing on him or them, in the best and safest Manner they can; Provided all such Persons who take up any Stock trespassing as aforesaid, do forthwith give Notice thereof, that the Owners may have Knowledge thereof.

Allowance for Keeping.

IV. AND, that all Persons so impounding and securing any Stock trespassing upon their respective Plantations, shall, by virtue of this Act, be allowed for all Kind of Horses, Cattle, Mules, and Asses of any Age whatsoever, One Shilling; for every Sheep, Three Pence, and so proportionable to the Number, for every Four and Twenty Hours keeping; and the Detainer is hereby required and obliged to find sufficient Water and Provender, to every Beast so kept in his said Penn, or otherwise secured as aforesaid.

Hogs or Goats may be killed after first notice.

V. AND be it Enacted, by the Authority aforesaid, That it shall be lawful for all Masters, Overseers, or Servants, to kill any Hogs or Goats after the first Notice given; the one Half to be and redound to the Party aggrieved, in Recompence for the Damage, and the other to the Owner: And it shall and may be lawful for the Inhabitants in the respective Towns of this Island, to kill all such Swine as shall commit Trespasses in any of the said Towns, by getting into their Houses or Backsides, and doing Damage there, by breaking open Casks of Sugar or Molosses, &c. all which hath been found heretofore committed and suffered, to the vast Prejudice and Damage of the said Inhabitants, and divers others.

Penalty on taking away any Stock impounded.

VI. AND in case any Person shall clandestinely or forcibly take away their trespassing Cattle or Stock out of the Penn or Pound of the Party aggrieved; every such Person or Persons so offending, shall be liable to be Sued in an Action of Trespass; and if a Slave commit the Trespass, in taking away as aforesaid, he shall be punished at the Discretion of the Justice of the Peace.

General Issue.

VII. AND it is also further Enacted, by the Authority aforesaid, That if any Person shall commence an Action in any Court of Record within this Island against the Provost-Marshal or his Deputy, for the due Execution of their Office, according to the Tenor of this Act; that then and in such Case, the said Provost Marshal, or his lawful Deputy, may plead the General Issue, and give this Act in Evidence; which shall be a sufficient Bar against any Suit or Action commenced against them.

No. 7.

An Act requiring all Masters of Ships and other Vessels, to give Security in the Secretary's Office.

Vide No. 197, 276.

Masters of Vessels to give Security not to carry off any Person without a Ticket.

Condition of the bond is enlarged by Act No. 197. Sec. VI. & No. 276. Sec. I.

Exception. Women covert or Children under 14 Years.

Sloops & smaller Vessels belonging to & trading, amongst the Leeward Islands but once every Year.

Naval Officer not to sign a Clearance before Entry of the Vessel under Penalty of 100l.

WE, Your Majesty's most dutiful and loyal Subjects, the Lieutenant-Governor, Council, and Assembly of Her Majesty's Island of St. Christopher's, do most humbly pray Her Most Excellent Majesty that it may be Enacted; and be it Enacted, by his Excellency *WALTER DOUGLAS*, Esquire, Captain General, and Governor in Chief, in and over all Her Majesty's Leeward *Charribbee* Islands in *America*, the Council and Assembly of this Island; and it is hereby Enacted and Ordained, by the Authority aforesaid, That the Master of every Ship or Vessel, or some other for him, in case of Disability, before they trade within this Island, or land any Goods on the same (living Creatures only excepted) shall, under the Penalty of forfeiting Ship and Cargo for his Neglect, wait upon the Governor or Commander in Chief, Lieutenant Governor, or President of the Council for the Time being; and give in Security in the Secretary's Office, with one sufficient Freeholder, or well-known Merchant, such as by common Repute is held to be worth so much, in the Sum of One Thousand Pounds, current Money of this Island, that he shall not carry off this Island any Person without a Ticket, signed by the Chief Governor, Lieutenant Governor, or President of the Council for the Time being; nor depart himself with his Ship or Vessel, without leave of the Chief Governor, Lieutenant Governor, or President of the Council, under the Penalty of Fifty Pounds current Money for such Departure; to be recovered by due Course of Law, in any Court of Record within this Island; Two-thirds whereof shall be to our Sovereign Lady the Queen, Her Heirs and Successors, for repairing Her Majesty's Fortifications, and Support of the Government of this Island, and the other Third to him that shall sue for the same: Provided that this Clause foregoing shall not extend to Women Covert, or Children under Fourteen Years of Age: Likewise it is the true Intent and Meaning of this Act, that the Masters of all Sloops and smaller Vessels, belonging to, and trading among Her Majesty's Leeward *Charribbee* Islands, shall be obliged to give Security in the Secretary's Office but once every Year.

II. AND be it further Enacted, by the Authority aforesaid, that the Naval Officer of this Island shall not at any Time hereafter sign any Letpass or Clearance from the Naval Officer to the Master of any Vessel whatsoever, before such Master have entered his Vessel, in the

the Secretary's Office, and receive a Certificate from the Secretatry of such his entering in the Secretary's Office, under the Penalty of One Hundred Pounds current Money: And all Masters of Sloops and other Vessels, employed in carrying Timber, Lime, Stone, and other Necessaries to the Plantations on the Windward Side of this Island, in bringing Sugars, and other Goods of the Product of the Island from thence, be excused upon their Arrival at the said Windward Side, waiting upon the Governor, or Commander in Chief; any thing in this Act seeming to the contrary notwithstanding.

III. AND be it further Enacted, by the Authority aforesaid, That the Secretary of this Island for the Time being, or his lawful Deputy, shall not deliver any Person a Ticket, under the Hand of, or to be Signed by, the Governor, or Commander in Chief, Lieutenant-Governor, or President of the Council for the Time being, to go off this Island, unless his or her Name have been set up in the Secretary's Office One and Twenty Days, otherwise that he take good Security for the paying such Persons Debts so departing; which the Secretary is bound to observe, under the Penalty of being liable himself to satisfy all the Creditors of such Person or Persons so obtaining a Ticket, or Masters or Mistresses of Servants or Slaves carried off by any Master of Ship or Vessel that shall not have given sufficient Security, according to the true Intent and Meaning of this Act, by which the aggrieved Person shall, by virtue of this Act, have remedy at Common Law against the said Secretary, Deputy Secretary, his or their Security.

Secretary not to give a Ticket to go off the Island till the Persons Names have been set up in the Office 21 Days.

Penalty.

IV. PROVIDED always, and it is hereby Declared to be the true Intent and Meaning of this Act, that the said Bonds so given as aforesaid, shall be taken in the Queen's Name; but are hereby declared to be only to and for the Use and Intent of the Person or Persons concerned; and that when any of the said Bonds shall be put in Suit, and Judgment thereupon obtained, the Judgment shall remain in the same Nature the Bonds were; and that no Execution issue out thereupon, before the Person grieved shall, by *Scire facias*, or other Process, summon the Person or Persons, against whom the Judgment aforesaid is obtained, to appear and shew Cause why Execution shall not issue upon the Judgment; and if the Plaintiff in the said *Scire facies* shall duly prove what Damage he hath sustained, and thereupon a Verdict be found for him, the Judges shall, in such Cases, award Execution for so much as the Jury shall then find, and no more; and the former Judgment is hereby declared still to remain cautionary, for the Satisfaction of such other of Her Majesty's Subjects as shall legally prove themselves damnified, and recover the Damages, as aforesaid, by due Course of Law.

Proviso.

Bonds to be taken in the Queen's Name, but for the Use of the Persons concerned.

Former Judgment to remain cautionary.

V. AND be it further Enacted, by the Authority aforesaid, That where any Person indebted, Servant or Slave, that shall repair from this Island, any Manner of Way whatsoever, and be taken up at Sea by any Ship or Vessel, the Master of such Ship or Vessel, and his Security, shall be subject to the same Penalty, as if taken immediately from the Shore.

Clause relating to Persons taken up at Sea.

VI. PROVIDED, That if the Master of such Ship or Vessel shall at the first Port he shall arrive at, make Oath before any Magistrate, that he nor any of his Men, to his Knowledge, never abetted, encouraged, or knew of such Servant or Slaves, coming off; but that the said Servant or Slaves, so taken up, must, in all Appearance, have been drowned, if not taken up; and after such Oath, shall take the first and most convenient Opportunity to return such Servant or Slave to their respective Owner; then shall not the Master, or his Security, be liable to any Penalty, but the Owner of such Servant or Slave shall pay the Charges of such Servant or Slaves returned.

Proviso to exempt Master of his Security from any Penalty.

VII. AND be it further Enacted and Ordained, by the Authority aforesaid, That if the said Bonds are not sued within Three Years after their several Dates, they are hereby declared null and void, to all Intents and Purposes whatsoever.

Bonds to be sued in three Years.

VIII. AND be it further Enacted and Ordained, by the Authority aforesaid, That the Governor, or Commander in Chief for the Time being, may, upon Complaint, of any Person underwritten or arrested, grant a Commission, empowering Five good able Men, or Three of them, whereof one to be a Justice of Peace, to be Judge of a special Court of Expedition, to try the Cause or Causes of Underwritings or Arrests, the Party that complains first making Oath that he is really designed off, and cannot, without prejudice to his Affairs, stay the Proceedings of the usual Courts of Common Pleas; the said Commissioners shall be sworn to do equal Right; they shall summon the Underwriter, or Party Arresting, to appear and file his Action; and issue out their Precept to the Marshal, to summon a Jury; and in case the Verdict pass for the Plaintiff, forthwith to enter Judgment, and issue the Execution for immediate Satisfaction, by Appraisment of the Goods, Chattles, or Effects, or imprison the Body, if no effects be shewn to satisfy the same; but if the Plaintiff appear, not being duly summoned to prosecute, or, upon Trial, no just Cause appear for his underwriting or arresting, or the major Part of the Debt, or the Sum pretended be not found due, or the same appear to be done out of Malice, and with vexatious Intent; in such Cases, the Verdict shall be for the Defendant, and Judgment against the Party underwriting or arresting, to pay treble Damages and double Costs, and Execution to be as aforesaid; and such Verdict and Judgment shall be a perpetual Bar to such pretended Cause of Action.

Governor to grant a Commission to try Cause upon Oath that the Persons arrested are designed off the Island.

1711. IX. AND be it further Enacted, by the Authority aforesaid, That where any Person hath Cause of Action, which lies only in Damages, and not in Certainty, he may underwrite for a Sum in Gross, as the Case may require; any thing in this Act to the contrary notwithstanding.

Provision where
Action lies only
in Damages.

No. 8.

An Act for raising an Impost upon Liquors imported into this Her Majesty's Island.

Obsolete.

No. 9.

An Act for regulating the Vestries.

Repealed by Act
N. 70. passed in
the Year 1727.

No. 10.

*An Act to oblige the Members of the Council and Assembly of this Island to meet punctually and exactly at such Time and Place, when and so often as they shall be legally summoned; as also to serve, when duly elected.**

This Act amended
by an Act passed
in 1771 No. 20.
where the
Hours of Meeting
is 10 o'clock and
the Fine for not
Meeting at 10,
£. 6.

Members of the
Council and As-
sembly legally
summoned, to
meet by Nine of
the Clock, in the
Morning.

Penalty on Ab-
sence.

How to be levied.

Twenty-four
Hours Notice in
writing to be giv-
en of such Meet-
ing.

WHEREAS the Public Good and Welfare of this Island hath of late been very much prejudiced and retarded, for want of a due and exact Meeting of the Council and Assembly, at the Time and Place appointed by legal Authority: To the End, therefore, that all such Inconveniencies may, for the future, be removed, we Your Majesty's most dutiful and loyal Subjects, *WALTER DOUGLAS*, Esquire, Captain General, and Governor in Chief in and over Your Majesty's Leeward *Charribbee* Islands in *America*, the Honourable the Lieutenant Governor, Council and Assembly of this Island, do humbly pray Your Most Excellent Majesty it may be Enacted and Ordained; and be it, and it is hereby Enacted and Ordained by the Authority aforesaid, That when and so often as the Council and Assembly of this Island shall be legally summoned or appointed to meet at any certain Place, each respective Member of both Houses shall, and hereby are obliged to appear, and be ready to proceed upon Business by the Hour of Nine of the Clock in the Morning (Sickness, Absence from the Island, or some extraordinary Accident or Occasion only excepted, which shall be judged and allowed, or disallowed of, by the Majority of Votes, to which House such said absent Member doth belong) and the Person or Persons so adjudged absent by Wilfulness or Neglect, shall for each and every Offence forfeit and pay, if a Counsellor, the Sum of Three Pieces of Eight; and if a Member of the Assembly, the Sum of Eighteen Shillings current Money; to be forthwith paid and deposited into the Hands of the Clerk of each House, to be disposed of for such Uses, as by the major part of each respective House shall be agreed upon; and in case of Refusal, or Non-payment of any such Fines and Forfeitures of all or any such Delinquents, in Manner as aforesaid, the Marshal shall distrain for the same, by Warrant under the Hand and Seal of the Lieutenant Governor, or President of the Council, and the like Warrant from the Speaker of the Assembly.

And forasmuch as the Provost Marshal of this Island, by himself or Deputy, hath often been negligent and remiss in giving timely Notice and Warning to the Members of each respective House, of the Time of their Meeting, when he hath been ordered (according to his Duty) by lawful Warrant or Writ from the chief Authority of this Island to do the same; be it further Enacted, by the Authority aforesaid, That the Provost Marshal, or his lawful Deputy for the Time being, by himself or Deputy, shall always for the Time to come, after the Date of this Act, give and deliver Notice in Writing, under the Hand of the Clerk of the Council, unto each Member thereof at their Houses and Plantations, either personally to themselves, or some of their Families; and the like Summons or Warning to the respective Members of the Assembly, by legal Writ or Precept, under the Hand and Seal of the General, or Commander in Chief, Lieutenant Governor, or President for the Time being; and that all such Notice and Summons, so given in Manner as aforesaid, shall be full Twenty-four Hours before the Day of Meeting, unless by special Warrant, and upon emergent Occasions, it shall be otherwise appointed or directed by the Authority aforesaid: And

in

in case the said Provost Marshal, by himself or Deputy, shall neglect or omit his Duty, by this Act enjoined him, he shall for each and every such Offence forfeit and pay the Sum of **1711.** Forty Shillings; which shall be deducted, satisfied, and discharged out of his Salary or Account due to him, or which afterwards shall become due to him from the Public of this Island, which the Treasurer for the Time being shall take Care to see done and performed, by an Order in Writing, under the Hand of the General, or Commander in Chief, Lieutenant Governor, or President for the Time being. Penalty on Marshal on neglect of duty.

III. AND whereas the Members of Her Majesty's Council, and Representatives of this Island, are at vast Charge and Expence each Time of their meeting; be it therefore Enacted, by the Authority aforesaid, That the said Members of the Council and Assembly for the Time being, shall, as has been allowed by a former Act to the said Purpose, lately expired, from Time to Time, be hereafter likewise allowed Six Shillings current Money each and every of them, towards defraying the necessary Charge and Expence at each and every Time of their meeting; which several and respective Sums shall be satisfied and paid quarterly, by the Treasurer of this Island for the Time being, out of the Fund that shall be raised upon Tavern Licences. Allowance to Members. To be paid quarterly out of the Fund raised upon Tavern Licences.

IV. AND, to the Intent the public affairs may for the future be better attended, and that there may be no Deficiency for want of a due Number of Assemblymen; be it further Enacted, by the Authority aforesaid, That each and every Person refusing to serve as a Representative of this Island when duly elected, shall for each and every such Refusal forfeit and pay the Sum of fifty Pounds current Money of this Island; to be recovered by Warrant of Distrain, under the Hand and Seal of the Governor in Chief, Lieutenant Governor, or President of this Island for the Time being; to be levied by the Provost Marshal, or his lawful Deputy, upon the Goods or Chattels of the Offender, for the Use of the Public of this Island, and to be lodged in the Hands of the Treasurer. Penalty on Person refusing to serve as Representative. How to be Recovered.

V. PROVIDED always, and it is the true Intent and Meaning of this Act, That no Person having served one Year, shall be obliged to serve in the Assembly of this Island the Year following, nor be liable to the Penalty aforesaid; but shall stand excused for that Year, and no longer; he or they intending to be excused, certifying the same at the several Places of Election. Provid, That no Person serving one Year shall be obliged to serve the Year following.

No. 11.

An Act for preserving the Freedom of Elections; and appointing who shall be deemed Freeholders, and be capable of electing, or being elected Representatives. Repealed by Act No. 7, passed in the Year 1727.

No. 12.

An Act for repairing the Queen's Fortifications of CHARLES FORT and BRIMSTONE HILL, and raising other Works. Expired.

No. 13.

An Act for repairing Her Majesty's Highways.

Repealed by Act No. 111, passed in the Year 1740.

No. 14.

An Act for subjecting that Part of this Island which was lately called the FRENCH GROUND, to the Civil Government. Expired.

1712.

No. 15.

* Another Act
was passed to this
purpose in 1718-
19. See No. 38.

An Act for settling the Estates and Titles of the Inhabitants of this Island to their Possessions within the same.*

Preamble.

No Titles to be
put in Suit on ac-
count of the Re-
conquest of this
Island.

Persons possessed
of Estates Five
Years before the
late War to re-
main so.

The same to be a
Plea in Bar of a-
ny Actions con-
cerning Titles of
Land.

Exception.

WHEREAS this Island hath twice within the Memory of Man been subjected to the Conquest of a Foreign Enemy, and the Inhabitants transported to other Islands; and by the unhappy Consequences thereof, as well as by the frequent Accidents of Hurricanes and Fires, the particular Tenures and Estates of this Island have not only been strangely transferred from one Owner or another, but many People have lost all their Writings, Deeds, Conveyances, and other Evidences whatsoever of the Lands and Tenements of which themselves or Ancestors have been many Years quietly and equitably possessed; and even our public Records have been so defaced, torn, or intirely lost: that no Recourse can in many Cases be had thereunto; so that the present Proprietors of Lands may be liable to many vexatious Suits and difficult Proofs for their Tenures, unless the same be remedied by Law: We, therefore, Your Majesty's most dutiful and loyal Subjects, *WALTER DOUGLAS*, Esquire, Captain General, and Governor in Chief in and over Your Majesty's Leeward *Charribbee* Islands, the Lieutenant Governor, Council and Assembly of this Island, taking into our most serious and deliberate Consideration, how the several dubious and disputable Titles to Tenures in this Island may be best confirmed, and the Owners thereby encouraged to a thorough Settlement of the same, pray Your Most Excellent Majesty that it may be Enacted; and be it and it is Enacted by the Authority aforesaid, That no Title of her Most Sacred Majesty shall be revived or put in Suit on account of the Re-conquest of this Island; but that every Proprietor of Land within this Island shall be deemed and adjudged legally instated and reinvested in such Estate of Lands or Tenements, as he, his Ancestors, or they, whose Estate he hath legally had at the Time of this Island being surrendered to the *French*, in the Year of our Lord One thousand Six hundred Eighty and Nine; and that no old obsolete Titles to any Lands may be revived, to occasion any vexatious Disputes.

II. It is likewise Enacted, by the Authority aforesaid, That if any Person or Persons now in Possession of any Lands, Tenements, or Hereditaments, within this Island, have or hath quietly, and without lawful Interruption enjoyed the same severally or successively, by the Space of Five Years, before the beginning of the aforesaid late War, in the Year of our Lord One thousand Six hundred Eighty and nine, and from the Re-conquest of this Island to this present Time, without any legal Claim thereunto, in a Court of Record, made before the Date of this Act; that such Person or Persons now in Possession, shall have good Right and Title to the same, against all Persons whatsoever, for and during the Estate whereof he or they are possessed.

III. AND it is hereby further Declared and Enacted, by the Authority aforesaid, That in all Actions concerning Titles of Land, it shall be a good Plea, in Bar of such Actions, for the Defendant to alledge, That he and they, whose Estate he lawfully hath, and ought to have, have been in quiet and peaceable Possession of the said Lands in question, for and during the Space of Five Years, before the Beginning of the aforesaid late War, and from the Re-conquest of this Island to this present Time; and this Plea duly entered, shall bar the Plaintiff or Demandant, unless he can disprove the same, or make it appear that the said first Five Years Possession incurred during the Time that the said Plaintiff or Demandant, his Ancestor or they whose Estate he demands, was under the Age of Twenty-one Years, a Woman under Coverture, of unsound Memory, or that the Defendant or Tenant holds the same as his or their Attorney or Tenant, Servant or Overseer, or by virtue of some particular Estate, for Years, Life, by the Courtesy, in Dower or in Tail, which, at or before the Time of the Action brought, was expired. Provided always, this foregoing Clause, or any Thing therein contained, shall not be pleaded in Bar for Three Years next ensuing the Date hereof; but that it shall or may be lawful for any Persons to commence their Suit in that Time, for any Land they shall conceive they have a Right or Title to, and plead their Title prior to such first Five Years Possession; any-thing in this foregoing Clause to the contrary notwithstanding.

IV. AND whereas several Subjects of the *French* King did, at their Conquest of this Island, in the Year of our Lord One thousand Six hundred and Sixty-six, pretend to buy of the *English* several Plantations, or Parcels of Land, and gave some small Considerations therefore, which, by the Treaty of Peace concluded between the two Crowns at *Breda*, was ascertained and confirmed to such *French* Purchasers, unless the old *English* Proprietors did, within a Day certain, as by the said Articles of Peace may appear, repay the Price of the first Purchase, and all Meliorations thereon; which many failing or neglecting to do, the *French* remain possessed thereof, till they, for valuable Considerations, sold again to the *English* or

or otherwise forfeited the same; by which second Purchase or Grants, very many Tenures are now held in this Island: It is therefore Enacted, by the Authority aforesaid, That all Conveyances and Assignments of Land made by any such *French* Subject who was in Possession of such Land after the Lapse of the Time limited in the aforesaid Articles of *Breda*, shall be good and valid in Law; and all Grants of Land forfeited before the Year of our Lord One thousand Six hundred Eighty-nine, by such *French* Subjects, and given under the Great Seal of these Islands by any then chief Governor shall be likewise good and valid in Law; and such Conveyances, Assignments, or Grants, shall be pleaded in Bar of any Right or Claim, prior to such *French* Subjects Possession.

1712.

Clause relating to Conveyances of Land by the French

V. AND whereas many of the said *French* Subjects, who continued to hold their Lands in the *English* Quarters, by virtue of the Articles of *Breda*, until the breaking out of the aforesaid late War, did then renounce the Protection of the *English*, remained with the *French*; and after the Re-conquest of this Island by us, they abdicated their Possessions, and went off with the other *French* Subjects; And whereas many *Irish* Subjects of the *English* Crown did at that Time, contrary to their Allegiance go into open Rebellion, assist the *French* to subdue the *English* Part of this Island and remained with them in Professed Hostility against their natural Prince; now nothing was more reasonable and consonant to the Practice of all Nations, than that their Persons should have been forthwith attainted, and their Estates confiscated to the Use of their then Most Sacred Majesties, Their Heirs and Successors, which however, for want of a Civil Administration of the Government of this Island, for many Years after the Re-conquest of the same, was not done in such Form as by Law is required; their Lands notwithstanding, for better settling and strengthening this Island, which otherwise was very weak, were given and granted by the then Chief Governor, with Consent of the Council of this Island, under the Great Seal of these Islands, to several People, who by their Industry have much improved the same and strengthened this Island thereby: To the End, therefore, that the good Subject may be encouraged, and a Brand of Infamy set upon Treachery, Perfidy, and Rebellion, it is Declared and Enacted, by the Authority aforesaid, That all the Lands and Plantations in the *English* Quarters of any *French* Man or Woman, who quitted and deserted the same, upon our re-taking this Island, and went off with the other *French* Subjects, and died, or yet survive in the Dominions of the *French* King, as well as all the Lands of any *Irish*, or other natural Subjects of *Great Britain*, who, at the Time aforesaid, appeared in Rebellion, and received the Protection of the *French*, were justly forfeited to, and legally vested in, Their late Most Sacred Majesties, Their Heirs and Successors; notwithstanding any Deficiencies or want of Proceedings, heretofore neglected for the more regular and formal Confiscation of the same, all which this present Law shall be deemed and construed to answer and supply.

Lands forfeited vested in the Crown.

VI. AND it is further Declared and Enacted, by the Authority aforesaid, That the several aforesaid Grants of such Lands or Hereditaments under the Great Seal of these Islands, shall be, and be adjudged firm and valid in Law, and the several Patentees shall have thereby a good and indefeasible Title to the same in Fee-simple; and that as well all Persons who have so forfeited and lost their Tenures and Estates, as their Heirs and Assigns, shall be utterly barred to claim the same, to all Intents and Purposes whatsoever; this Act to be duly pleaded in Bar or given in Evidence to a Jury upon the Trial of any such Right.

Grants of such Lands adjudged valid in Law.

VII. AND whereas the Laws and Customs of this Island have ever directed, that Lands should be taken in Execution for want of other personal Estate; and that not only in Judgments of Debt between Party and Party, but likewise on account of all public Levies and Assessments which have been raised in this Island, whereby many Tracts or Parcels of Land have formerly and of late been exposed and sold at public Outcry, or by Appraisement, by the Provost-Marshal, or his lawful Deputy: and it is but just, that the lawful Purchaser who paid a valuable Consideration, and bought under the Security of a Law of this Island, should be ascertained of his Estate; It is further Enacted, by the Authority aforesaid, That all Bills of Sale made under the Hand and Seal of any Provost-marshal, or his lawful Deputy, and according to the known Usage and Practice of this Island, shall be good and valid to any Purchaser, or his Heirs, against the former Proprietor, and his Heirs, or any claiming from, by, or under him or them, or any of them, by any Deed or Conveyance made after the Execution levied on the said Lands; notwithstanding, that the Records, or Law of this Island, whereon such Execution and Bill of Sale are founded, may, by the late Unhappiness and Confusion of our Times, be defaced or lost. Provided nevertheless, That this Clause shall not extend, or be construed to justify or save harmless any Provost-Marshal, Deputy-Marshal, or other Officer whatsoever, in any illegal Practice, or undue Execution of their office.

Clause relating to Lands sold at public Outcry.

Proviso.

VIII. AND be it further Enacted, by the Authority aforesaid, That no want of Method, or of sufficient and legal words to create Inheritances to them and their Heirs; nor any Impropriety of Speech, which, through the Ignorance of former Times, are frequently found in old Deeds, shall any-way vacate or make void any Deed, Grant, Devise, or other Conveyance

Titles to be affirmed by living Witnesses where writings are lost.

1712.

Conveyance whatsoever: And where any Persons possessed of, and intitled to any Lands, according to the true Intent and Meaning of this Act, have lost their Writings for the same; in such Case he may affirm his Title and Possession for so many Years, as required by this Act, by two or more credible Oaths of the ancient Neighbourhood, which shall be accounted sufficient Proof, unless more convincing Evidence can be brought to the contrary; and such Persons may at all Times repair unto his present Excellency, or other chief Governor in Council, for the full Confirmation of their Estates and Tenures, and then and there shall and may receive such full Confirmation and Assurance, under Her Majesty's Great Seal of these Islands, as they can reasonably advise or desire.

No. 16.

Expired.

An Act for laying a Duty on Tonnage of Vessels trading to this Island, and on Sugars exported to any of the other Islands in this Government, for the Use and Supply of Her Majesty's Fortifications.

No. 17.

1713.

Expired.

An Act for laying a Duty on Tonnage of Vessels trading to this Island, and on Sugars exported to any of the other Islands in this Government, for the Use and Supply of Her Majesty's Fortifications.

No. 18.

An Act for all public Officers putting Security.

Treasurer, Secretary, and Marshal to give Security for the just Execution of their Offices.

WHEREAS the Inhabitants of this Island are truly sensible of the great and many inconveniencies which may redound unto them by reason of the Provost Marshal and other Officers Neglect and Carelessness in the due Execution of his and their Offices, and Performance of Business incident thereunto, in regard that formerly there hath not been sufficient Security given to make good such Damages as the said Inhabitants do or shall sustain by them or their Substitutes; For Remedy whereof for the present, and Prevention of the like Inconveniency for the future, we, Your Majesty's most dutiful and loyal Subjects *WALTER DOUGLAS*, Esquire, Captain General and Governor in chief of all Your Majesty's Leeward *Charribbee* Islands in *America*, the Honourable the Lieutenant Governor, Council and Assembly of *St. Christopher's*, humbly pray Your Most Excellent Majesty it may be Enacted; and it is hereby Enacted and Ordained, by the Authority aforesaid, That no Treasurer, Secretary, or Marshal, or Deputy Secretary, or Deputy Marshal, of this Island, be admitted or held capable to execute the Office of Treasurer, Secretary, or Marshal, or Deputy Secretary, or Deputy Marshal, within this Island, without having first put in Security, such, against which no Exception can be taken, and such as shall be approved of by the chief Governor, Lieutenant Governor, or President of the Council, and Council, and to be Deposited in the Secretary's Office, payable to our Sovereign Lady the Queen, and Her Successors, for their honest and just Demeanor in executing their said Offices.

Treasurer's Bond for 5000l.

II. AND be it further Enacted and Ordained, by the Authority aforesaid, That the Bond the Treasurer shall give, be for Five Thousand Pounds current Money, under the Condition hereafter expressed; that is to say.

Condition.

THE Condition of this Obligation is such, That if the above bounden *A. B. Treasurer*, shall well and truly account for, so often as he shall be thereunto required by the Commander in Chief for the time being, the Lieutenant Governor, or President, and Council of this Island, all and every such Sum and Sums of Money, Sugar, &c. which either have or shall come to his Hands, by virtue of any Act or Acts of this Island; and also pay all such Sums of Money, and Sugars according to the Intent and Meaning, and to the Uses mentioned and directed in the said Acts; and shall in all other Things demean himself, as required by the Laws of this Island; that then this present Obligation to be void, otherwise to remain in full Force and Virtue.

And given in 20 Days.

Which Bond shall be given within Twenty Days after Publication of this Act: And in case the present Treasurer shall presume to act in the said Office after the Time limited by this Act.

Act for entering into Bonds ; or any other Treasurers, who shall be hereafter nominated, who shall presume to act before giving such Bond, he or they shall forfeit the Sum of Two thousand Pounds current Money.

1713.
Penalty on Treasurer acting before giving Bond.
Secretary and Marshal's Bonds to be for 1000l.

III. AND be it further Enacted and Ordained, by the Authority aforesaid, That the Bond the Secretary or Deputy Secretary shall give, be for One thousand Pounds current Money of this Island, under the Condition hereafter expressed ; that is to say,

THE Condition of this Obligation is such, That if the above bounden Secretary and Marshal shall well and faithfully perform and discharge the Trust reposed in them, according to each of their respective Offices and Trusts ; that then this Obligation or Obligations shall be void, or else remain in full Force and Virtue.

Condition.

Which said Bond or Bonds shall be given within Twenty Days after Publication of this Act: And in case either the said Secretary or Marshal, Deputy Secretary or Deputy Marshal, shall presume to act in either of their said Offices or Trusts, after the Time limited by this Act for entering into Bonds ; he, the said Secretary, or Deputy Secretary, shall forfeit the Sum of Four hundred Pounds; and the Marshal, or Deputy Marshal, the Sum of Four hundred Pounds, current Money; and in like Manner any successive Secretary or Marshal, or Deputy Secretary or Marshal for the Time being, who shall presume to act in such their respective Office before giving the Bond required by this Act, shall forfeit the Sum of Four hundred Pounds current Money.

and given in 20 Days.

In default to forfeit 400l.

IV. And be it further Enacted and Ordained, by the Authority aforesaid, That all the Penalties mentioned in this Act, and not declared how they shall be disposed of, and in what Manner to be recovered, shall be Two Thirds to our Sovereign Lady the Queen, Her Heirs and Successors, for repairing Her Majesty's Fortifications, and Support of the Government of this Island ; and the other Third to the Informer, or him that shall sue for the same ; to be recovered by Bill, Complaint, or Information in any Court of Queen's Bench within this Island, wherein no Essoign, Protection, Wager of Law, *Non vult ulterius prosequi*, or Injunction shall be allowed.

Penalties how to be disposed of.

How to be recovered.

V. PROVIDED always, That nothing in this Act contained shall be construed to lessen Her Majesty's Prerogative in any Respect whatsoever.

Proviso.

No. 19.

An Act to revive an Act, intituled, An Act for subjecting that Part of the Island which was lately called the French Ground, to the Civil Government.

Expired.

No. 20.

An Act for raising a Levy, to defray the public Debts of this Island.

Expired.

No. 21.

An Act for raising an Impost upon Liquors imported into this His Majesty's Island, &c.

Expired.

No. 22.

An Act for raising of Gunpowder and small Arms on Tonnage of Vessels, for the Use of His Majesty's Fortifications within this Island.

Expired. Another Act was passed to this purpose in 1722, No. 47, which is also expired.

No. 23.

An Act for selling of strong Liquors by Retail, and taking out Licences.

Expired.

No.

1715.

No. 24.

Expired.

An Act for the Settlement of the Militia of this Island.

No. 25.

Expired.

An Act to ascertain the Bounds of Possessions in the late French Part of this Island.

No. 26.

Expired.

An Act for laying a Duty on Sugars exported to any of the other Islands in this Government, for the Use of His Majesty's Fortifications.

1715-16.

No. 27.

Expired.

An Act for the good Government of Servants, ordering the Rights between Masters and Servants, and to encourage the Importation of Servants.

No. 28.

Expired.

An additional Act to an Act, intituled, An Act to ascertain the Bounds of Possessions in the late French Part of this Island.

No. 29.

An Act for regulating and appointing the Fees of the several Officers and Courts in this Island.

Preamble.

WHEREAS it is highly necessary to regulate and appoint the several Fees or Demands of the several Courts and Offices in this Island: That the same may be more certainly known, and all Exactions and unlawful Demands be thereby prevented and punished; We, therefore, Your Majesty's most dutiful and loyal Subjects, William Matthew, Esquire, Lieutenant General and Commander in Chief of all Your Majesty's Leeward Charribbee Islands in America, the Council and Assembly of this Island, pray Your most Excellent Majesty that it may be Enacted; and be it, and it is Enacted, by the Authority aforesaid, That none of the Officers, or other Persons that now do, or hereafter shall enjoy, belong to, or officiate in, any of the Offices and Employments hereafter named or expressed, shall, either by themselves, Deputies, Clerks, or Servants, after Publication hereof, neglect, refuse, or delay to give due dispatch to all Persons whatever, and shall not receive or take, directly or indirectly, any other Fee or Fees, for any Business hereafter named, than is hereafter expressed and annexed hereto; and whatsoever Officer or Officers shall offend herein, he or they being duly convicted thereof, by the Oath of Two credible Witnesses, before the Governor in Council, or before the Justices of the King's Bench in Court, shall forfeit and lose his or their Office and Place, and be held incapable to hold and enjoy the same again; and the Party grieved shall recover his Damage on such Officer or Officers by Action at Common Law.

Officers not to take other Fees than allowed of.

Penalty.

A Table of the Chief Justice and Secretary's Fees to be kept in the Secretary's Office.

II. AND, to the Intent that all due Order may be herein kept and observed, and that the Inhabitants of this Island may not be ignorant thereof; be it further Enacted, by the Authority aforesaid, That the Chief Justice's and the Secretary's Fees and Prices thereof, according

ing

ing as they are in this Act annexed, set down, and expressed, be fairly ingrossed, hung up, 1715-16. and constantly kept in the Secretary's Office; and the several Fees of all other Officers, and Prices thereof, as hereto annexed and expressed; be severally fairly ingrossed, and hung up in their several Offices or Places where the Business belonging to the said Office is usually done; and whatsoever Officer or Officers shall neglect or refuse to have such Tables of their respective Fees prepared within Thirty Days after Publication of this Act, and thenceforth constantly hung up, as before directed, shall forfeit and pay the Sum of Ten Pounds current Money; to be recovered against him by any Person who shall inform or sue for the same in any Court of Record in this Island.

Table of other Fees to be kept in the several Offices where the Business is done.

Penalty on Officers neglecting to keep such Tables in their respective Offices.

III. AND it is further Enacted, by the Authority aforesaid, That for any Business, or Thing to be done by any Secretary, Marshal, or other Officer, and not particularly comprized, mentioned, and rated in this Act, it shall be lawful for the Secretary, Marshal, or other Officer acting the same, to take and receive a reasonable Fee for the same, in Proportion to other Services performed by him whose Prices are rated in this Act.

Clause relating to Fees not mentioned in the Table.

IV. AND it is further Enacted, by the Authority aforesaid, That the chief Governor, or Lieutenant Governor, or President of the Council, and Council and Assembly, may, at any Time hereafter, settle and establish any further Fees; which may happen to be omitted and unthought of at present; and such additional Docket, or Table of Fees belonging to any Office or Offices, being signed by the chief Governor, Lieutenant Governor, or President of the Council, and Speaker of the Assembly for the time being, shall have the same Force as if they had been really expressed, comprized in, and made part of this Act, and Offenders against the same be liable to the same Penalty as directed in this Act; any Law, Custom, or Usage to the contrary notwithstanding.

Governor with Council and Assembly to settle any further Fees.

A Docket of Fees for the several public Officers of this Island, as they are established by the Governor, Council, and Assembly.

Chief Justice's Fees.

	<i>l.</i>	<i>s.</i>	<i>d.</i>
FOR any Writ whereunto his Hand and Seal is affixed,	-	0	6 0
For a Deposition in Writing,	-	0	6 0
For an Evidence sworn in Court,	-	0	1 6
For a Nonsuit or <i>Retraxit</i> ,	-	0	1 6
For Judgment granted,	-	0	1 6
For signing an Execution,	-	0	6 0
For taxing of a Bill of Costs,	-	0	6 0
For a Feme-covert's acknowledging of a Deed before him,	-	0	12 0
For a Probate of any other Deed,	-	0	6 0

Secretary's Fees.

For entering of an Action,	-	0	3 0
For a Warrant of Summons, or any other Warrant or Writ, each,	-	0	3 0
For entering an Imparlane,	-	0	1 6
For an Evidence sworn in Court,	-	0	1 0
For amending a Record by Order of Court,	-	0	3 0
For entering Pleas of Attorneys,	-	0	1 6
For entering a Judgment,	-	0	1 6
For entering a Nonsuit or <i>Retraxit</i> ,	-	0	1 6
For Copy of a Verdict,	-	0	1 6
For ditto of a Special Verdict,	-	0	6 0
For a Commission to Auditors,	-	0	6 0
For filing the Auditors Return,	-	0	1 6
For entering a <i>Scire facias</i> ,	-	0	4 6
For drawing a Bill of Costs,	-	0	1 6
For filing Reasons and Demurrers in Arrest of Judgment,	-	0	3 0
For filing an Injunction,	-	0	1 6
For Dismission from Chancery,	-	0	1 6
For drawing a Writ of Error,	-	0	10 0
For recording and filing the same,	-	1	0 0
For recording the Action,	-	0	4 0
For ditto the Declaration,	-	0	10 0
For ditto the Issue, Plea, and Demurrer,	-	0	10 0

For

1715-16.	For ditto the <i>Scire facias</i> ,	-	-	-	-	-	0	10	0
	For ditto the Assignment of the Error,	-	-	-	-	-	0	4	0
	For ditto the <i>Scire facias</i> to hear the Error,	-	-	-	-	-	0	4	0
	For attesting the Record,	-	-	-	-	-	0	8	0
	For drawing a new <i>Scire facias</i> to hear the Error,	-	-	-	-	-	0	4	0
	For an Execution,	-	-	-	-	-	0	6	0
	For searching the Records,	-	-	-	-	-	0	3	0
	For Copy of an Action and Proceedings of the Court to the Jury,	-	-	-	-	-	0	4	6
	For perusing of an Act, or other public Writing, to the Inhabitants <i>gratis</i> , but to Strangers,	-	-	-	-	-	0	3	0
	For recording of a Mortgage,	-	-	-	-	-	0	12	0
	For ditto of Indentures for an Apprentice,	-	-	-	-	-	0	6	0
	For ditto of Grants of Land,	-	-	-	-	-	0	6	0
	For recording of Patents,	-	-	-	-	-	1	10	0
	For a Reference of Court to Auditors,	-	-	-	-	-	0	1	6
	For Copy of an Act, or other Instrument of Writing not comprized in this Table of Fees, for each Side of Paper close written,	-	-	-	-	-	0	3	0
	For any Certificate,	-	-	-	-	-	0	1	6
	For setting up a Name in the Office,	-	-	-	-	-	0	0	9
	For making out a Ticket,	-	-	-	-	-	0	2	3
	For any Bond,	-	-	-	-	-	0	4	6
	For recording a Bond or Bill,	-	-	-	-	-	0	4	6
	For underwriting a Person going off the Island for any Sum whatsoever,	-	-	-	-	-	0	6	0
	For recording a Bill of Sale, or Deed of Gift,	-	-	-	-	-	0	12	0
	For Licence to sell Drink,	-	-	-	-	-	0	7	6
	For drawing and recording a Protest,	-	-	-	-	-	0	15	0
	For Copy of ditto,	-	-	-	-	-	0	9	0
	For writing a Deposition, or recording ditto,	-	-	-	-	-	0	3	0
	For Copy of the same,	-	-	-	-	-	0	3	0
	For filing a Declaration or Plea,	-	-	-	-	-	0	1	6
	For Copy thereof,	-	-	-	-	-	0	6	0
	For recording a Letter of Attorney,	-	-	-	-	-	0	9	0
	For ditto the Probate thereon,	-	-	-	-	-	0	3	0

Clerk of the Peace's Fees.

For an Indictment,	-	-	-	-	-	-	0	12	0
For a Copy thereof,	-	-	-	-	-	-	0	6	0
For every Presentment by the Grand Jury,	-	-	-	-	-	-	0	2	3
For filing each Recognizance,	-	-	-	-	-	-	0	1	6
For clearing by Proclamation,	-	-	-	-	-	-	0	3	0
For a <i>Subpœna</i> for a Witness,	-	-	-	-	-	-	0	3	0
For a Recognizance,	-	-	-	-	-	-	0	6	0
For every Summons to the Sessions,	-	-	-	-	-	-	0	3	0
For every Order or Judgment of the Sessions,	-	-	-	-	-	-	0	3	0
For every Traverse,	-	-	-	-	-	-	0	6	0
For Copy of Judgment of Sessions, or Traverse, each,	-	-	-	-	-	-	0	3	0
For a Writ of Error,	-	-	-	-	-	-	0	10	0
For every Warrant of the Peace,	-	-	-	-	-	-	0	3	0
For every <i>Certiorari</i> ,	-	-	-	-	-	-	0	10	0
For every Writ of Restitution,	-	-	-	-	-	-	0	3	0
For every <i>Supersedeas</i> ,	-	-	-	-	-	-	0	3	0

Clerk in Chancery's Fees.

* By an Act passed in the Year 1733-4, No. 96, this Article is totally repealed; and the Secretary, as Clerk in Chancery, is allowed but 1s. 6d. per Sheet for Copies of Bills & Answers in that Court, or in 120 Words.

* For copying Bill and Answer, eight words to a Line, twelve Lines to a Sheet, each Sheet,	-	-	-	-	-	-	0	3	0
For a <i>Subpœna</i> for Witnesses,	-	-	-	-	-	-	0	3	0
For administering an Oath,	-	-	-	-	-	-	0	1	0
For an Attachment for the Defendant to appear	-	-	-	-	-	-	0	3	0
For entering the Sheriff's Return,	-	-	-	-	-	-	0	3	0
For Proclamation on the same,	-	-	-	-	-	-	0	3	0
For a Commission of Rebellion,	-	-	-	-	-	-	0	12	0
For the Rule the Plaintiff gives the Defendant to make Answer by,	-	-	-	-	-	-	0	3	0
For a Commission to examine Witnesses,	-	-	-	-	-	-	0	9	0

For

For a <i>Subpœna</i> for Costs given the Defendant, in case the Plaintiff puts not in his Bill,	-	-	-	-	-	-	0	3	0	1715-16.
For a Bill of Costs,	-	-	-	-	-	-	0	1	6	
For filing a Replication or Rejoinder, or Surrejoinder,	-	-	-	-	-	-	0	1	6	
For Copy of a Deposition, not exceeding one Side of a Sheet of Paper, 3s if more, 3s each Side,	-	-	-	-	-	-	0	3	0	
For filing each Deposition taken by Examiners,	-	-	-	-	-	-	0	1	6	
For making an Order on any Motion,	-	-	-	-	-	-	0	1	6	
For Copy of an Exemplification of an Action,	-	-	-	-	-	-	0	6	0	
For Copy of the Minutes of the same,	-	-	-	-	-	-	0	3	0	
For ditto of an Exemplification of a Complaint,	-	-	-	-	-	-	0	1	0	
For ditto the Minutes of the same,	-	-	-	-	-	-	0	0	6	
For entering a Decree,	-	-	-	-	-	-	0	6	0	
For an Execution,	-	-	-	-	-	-	0	6	0	

Clerk of the Ordinary's Fees.

For Licence of Marriage,	-	-	-	-	-	-	0	6	0
For Letters of Guardianship,	-	-	-	-	-	-	0	6	0
For recording ditto, or Copy thereof,	-	-	-	-	-	-	0	6	0
For Letters of Administration,	-	-	-	-	-	-	0	6	0
For recording ditto, or Copy thereof,	-	-	-	-	-	-	0	6	0
For Warrants of Appraisement,	-	-	-	-	-	-	0	6	0
For recording of ditto, or Copy,	-	-	-	-	-	-	0	6	0
For Probate of Wills,	-	-	-	-	-	-	0	6	0
For a Bond,	-	-	-	-	-	-	0	4	6
For recording of an Inventory, and Return of Appraisers,	-	-	-	-	-	-	0	6	0
For Copy of ditto,	-	-	-	-	-	-	0	6	0
For recording of a Will,	-	-	-	-	-	-	0	9	0
For Copy of ditto,	-	-	-	-	-	-	0	9	0
For drawing an Order on a Petition or Copy,	-	-	-	-	-	-	0	3	0
For filing a Petition,	-	-	-	-	-	-	0	1	9
For a <i>Caveat</i> on Administration and Recording,	-	-	-	-	-	-	0	9	0
For a Copy of ditto,	-	-	-	-	-	-	0	4	6

Justices of the Peace, and their Clerks Fees.

For every Indictment for a Riot, before a private Justice,	-	-	-	-	-	-	2	0	0
For a Warrant,	-	-	-	-	-	-	0	6	0
For the Clerk's writing the Warrant,	-	-	-	-	-	-	0	3	0
For a Recognizance,	-	-	-	-	-	-	0	6	0
For drawing a Recognizance,	-	-	-	-	-	-	0	3	0
For every Witness sworn before him,	-	-	-	-	-	-	0	1	0
For each Examination in writing,	-	-	-	-	-	-	0	3	0
For Discharge of a Recognizance,	-	-	-	-	-	-	0	1	0
For an Order, in matters of Difference determined by them, between Masters and Servants, &c.	-	-	-	-	-	-	0	6	0

Naval Office Fees.

Report in the Naval Office,	-	-	-	-	-	-	0	7	6
For the Bond,	-	-	-	-	-	-	0	12	6
For recording a Register,	-	-	-	-	-	-	0	6	0
For a Letpafs for a Vessel to go out of the Government,	-	-	-	-	-	-	0	12	6
For recording Certificate of Bond given in <i>Great Britain</i> ,	-	-	-	-	-	-	0	3	0
For cancelling Naval Bond,	-	-	-	-	-	-	0	3	0
For a Permit for a Vessel to fail,	-	-	-	-	-	-	0	1	6

Coroner's Fees.

For every Inquest <i>super Visum Corporis</i> , taking Depositions and returning the Inquest,	-	-	-	-	-	-	5	0	0
---	---	---	---	---	---	---	---	---	---

F

For

1715-16. For the Chirurgeon for his View on a Body by accidental or violent Death, 1 0 0
 But to the Chirurgeon, in case he opens the Body, with Return of his Report 3 0 0
 These Fees to be paid out of the Estate of the Party deceased, or for want thereof, by the Public: And in all Cases where he serves or executes any Writ or Process instead of the Provost Marshal, he shall receive the same Fees as the Provost Marshal receives in the like Cases.

Marshal's Fees.

For serving each Summons to Court upon any Action, or otherwise,	0	3	0
For ditto each Summons and Declaration,	0	9	0
For every Jury impannelled, he paying each Jurymen out of it,	1	18	0
For attending the Jury each Action,	0	1	0
For a Nonfuit or <i>Retraxit</i> each Action,	0	1	6
For each Witness sworn before the Council, or in Court,	0	0	9
For a Judgment in Court, and Return,	0	3	0
For serving each Execution under 30 l.	0	10	0
For ditto every Execution for Debt above 30 l. at the Rate of one and half per cent.			
For serving each <i>Scire facias</i> ,	0	3	0
For serving any Warrant of Appraisement,	1	0	0
For ditto a Writ of Partition upon a Judgment of Court by Jury and attending and making Return,	3	0	0
For impannelling and attending a Jury of View of Damage and Waste,	2	10	0
For serving any Warrant of Possession,	1	8	0
For giving a bill of Sale of any Thing,	0	18	0
For each Commitment, either by the Council or in any Court,	0	6	0
For each Release of the same,	0	3	0
For each Warrant of Arrest on board of Ship,	0	12	0
For executing a Warrant of Search on board of Ship, &c.	0	9	0
For serving a Warrant of Arrest on Shore,	0	6	0
For ditto a Warrant of Search,	0	6	0
For ditto each special Warrant,	0	6	0
For ditto each Warrant of Contempt and Return,	0	6	0
For ditto a <i>Subpoena</i> from either or any Court for each Person to be paid,	0	3	0
For serving each <i>Superfedeas</i> ,	0	3	0
For executing a Writ of <i>Habeas Corpus</i> , each Day you have the Person upon it,	0	3	9
For serving a Warrant <i>ad Respondendum</i> ,	0	3	0
For executing a Writ of <i>Withernham</i> ,	0	6	0
For a Warrant of Complaint,	0	6	0
For raising the Possy,	5	0	0
For each Person bound to the Peace or good Behaviour, or indicted or called to Sessions thereupon,	0	4	6
For executing a Writ of <i>Replevin</i> and Return,	0	6	0
For receiving a Felon into Custody,	0	3	0
For discharging the said Felon out of Prison,	0	1	6
For discharging each Person bound by Recognizance to any Sessions,	0	1	6
For discharging each and every Presentment,	0	3	0
For every common Commitment,	0	3	0
For Release of the same,	0	1	6
For each Prisoner for every 24 Hours, one Pound of Beef and one Pound of Bread,	0	1	6
For each Bond taken,	0	4	6
For serving each Commission of Rebellion and Contempt out of Chancery,	1	4	0
For executing a Decree out of Chancery as other common Executions,			
For serving every Summons of the Parties concerned to the Admiralty, and Return,	0	6	0
For serving each and every Attachment out of the Admiralty, where no Condemnation,	0	12	0
For every Warrant of Contempt and Return out of the Admiralty,	0	6	0
For serving the Decrees, Libels, and Orders of the said Court, where no Condemnation,	1	17	6
For the whole Trial and Proceedings to Condemnation of any Ship &c. if condemned in the Admiralty, whether Prize or otherwise,			
For the whole Trial, &c. and Condemnation of any Sloop, or on any Goods, Slaves, or Merchandize, condemned in the Admiralty, whether Prize or otherwise,			
For executing any Christian Man or Woman, to be paid out of the Treasury,			
For executing any Negro 500 lb. of Sugar,			

For

For each run-away Negro or Slave, taken up and brought to the Marshal, he
to pay the Bringer 12s. and 9d. per Mile,
For every Twenty-four Hours Imprisonment, — — — — —

1715-16.

0 1 0

Constable's Fees.

For serving a Warrant, — — — — — 0 6 0
For each Witness summoned by him, — — — — — 0 3 0
For serving a *Mittimus* to carry a Person to Gaol; — — — — — 0 12 0
For travelling Charges 12d. per Mile,
For every Writ served by him to summon in the Freeholders or Parishioners, to
be paid by the Church-wardens; — — — — — 0 6 0
For summoning each Juror or Evidence on an Inquest, to be paid by the Coroner, 0 0 6

No. 30.

1716.

An Act to repeal a Clause in the late Common Law Act.

Expired.

No. 31:

*An Act to explain Part of an Act, intituled, An Act for the Settlement of the Militia of this
Island.*

Expired.

No. 32.

*An Act to enable William Matthew, Esquire, an Infant, under the Age of Twenty-one Years, to
convey a certain Parcel of Land in the Island of St. Christopher's, called Brimstone-hill, and
to vest the Inheritance thereof in His Majesty, for the Use of the Fortifications of this Island;
and for settling other Lands therein mentioned upon the said William Matthew, and his Heirs
in lieu thereof; and for the Payment of Five hundred Pounds unto the Honourable William
Matthew, Esquire, his Father, in Consideration of the same, and for other Considerations there-
in mentioned.*

Expired.

No. 33.

An Act to prevent Danger that may happen by Fire in any of the Towns within this Island.

Expired.

No. 34.

An Act for raising a Levy, to discharge the public Debts of this Island.

Expired.

No. 35.

An Act for raising a Tax on Trade, to defray the public Charges of this Island.

Expired.

1717.

No. 36.

An Act to empower the Surveyors of the Highways to turn the windward common Path to the Eastward of Clay-hill, in the Quarter of Basseterre.

Preamble.

Surveyors to make a Path 24 Foot wide.

under the Penalty of 30l.

Damages how to be made good.

WHEREAS the Cartage of Sugars, from the Windward to the Shipping Place at Basseterre, on the Leeward Side of this Island, is rendered very troublesome and difficult, by Means of the common Path's running directly over a Place in the Midway called *Clay-hill*, which is both steep and stoney: And whereas it is very obvious and apparent, that a Path formerly did lead more to the Eastward, and through the Land now in the Possession of *Humphrey Sheppard*, and, was it opened again, would be of very great Ease and Advantage to the Inhabitants that cart Sugars that Way, as it is capable of being made more level and smooth: We, therefore, Your Majesty's most dutiful and loyal Subjects, the Governor in Chief in and over all Your Majesty's Leeward *Charribbee* Islands in *America*, the Council and Assembly of *St. Christopher's*, humbly pray that it may be Enacted; and be it, and it is hereby Enacted and Ordained, by the Authority aforesaid, That from and after the Day of the Date of this Act, it is and shall be lawful for the Surveyors of his Majesty's Highways, in the Quarter of *Basseterre*, for the time being, or either of them, to open and cleanse the Path formerly running from the South Side of *Connaree Pond* to the Eastward of the said *Clay-hill*, and so through the Land now in Possession of *Humphrey Sheppard*, unto the common Path leading to *Basseterre*, and the same to make at least Twenty-four Foot wide, and the said Surveyors are hereby obliged and required, within Twenty Days at farthest, after Publication of this Act, to have the said Path opened in Manner as aforesaid, under the Penalty of forfeiting for their Neglect Thirty Pounds; to be levied (if Payment be refused) by Distress on their Goods and Chattels, and Sale thereof by Warrant under the Hands and Seals of Two Justices of the Peace, directed to any Constable of the said Quarter of *Basseterre*; which Forfeiture shall (all Fees being deducted) be towards defraying Parish Charges.

II. AND be it further Enacted, by the Authority aforesaid, That whatsoever Damage the said *Humphrey Sheppard*, or any other Person, shall sustain in their Improvements on the said Land by turning the said Path, shall be appraised by Two sufficient Persons, one to be appointed by the Surveyors of the Highways, and one by the Persons concerned; which Appraisement shall be returned under the Hands and Seals of the Appraisers to the Treasurer of this Island for the Time being, who is hereby required to pay the Sum of the said Appraisement to the Person damnified, without any further Warrant for the same.

1718-19.

No. 37.

Expired.

An Act for holding the Courts of King's Bench and Common Pleas of the Island of St. Christopher's at Sandy Point and Basseterre.

No. 38.

* Another Act was passed to this purpose in 1712. See No. 15.

*An Act for the general Quiet of the Inhabitants of the Island of St. Christopher's, in their Estates and Possessions, and for avoiding of vexatious Law-suits.**

Preamble.

WHEREAS this Island hath twice within the Memory of Man been subjected to the Conquest of a Foreign Enemy, and the Inhabitants transported to other Islands; and by the unhappy Consequences thereof, as well as by the frequent Accidents of Hurricanes and Fires, the particular Tenures and Estates in the Island have not only been strangely transferred from one Owner to another, but many People have lost all their Writings, Deeds, Conveyances, and other Evidences of the Lands and Tenements of which they or their Ancestors have been for many Years last past lawfully and quietly seized and possessed; and even the public Records have been so defaced, torn, or intirely lost, that no Recourse can in many Cases be had thereunto; so that the present Proprietors or Owners of Lands, Tenements, and Hereditaments, are or may be liable to many vexatious Suits, and put to great Difficulties to prove their respective Titles to the same: For remedy whereof, and to the Intent that the Rights and Titles of Your Majesty's loyal Subjects of this Island to their Estates and Possessions might be established and confirmed, and the Inhabitants be thereby encouraged

encouraged to a thorough Settlement thereof, Your Majesty's most dutiful and loyal Subjects, *WALTER HAMILTON*, Esquire, Captain General, and Governor in Chief in and over all Your Majesty's Leeward *Charribbee* Islands, in *America*, and the Council and Assembly of the said Island, do in all humble Manner pray Your Most Excellent Majesty that of Your gracious Disposition it may be Enacted; and be it, and it is Enacted, by the said Captain General and Governor in Chief, and the said Council and Assembly, That no Title of Your Most Sacred Majesty shall be revived or put in Suit on account of the Re-conquest of this Island, but that every Proprietor of Lands, Tenements, or Hereditaments within the same shall be deemed and adjudged legally re-instated in, and vested of such Estate therein, as he or his Ancestors, or he or they whose Estate he hath, had, or might claim, at the Time of the said Island's being surrendered to the *French*, in the Year of our Lord One thousand Six hundred eighty and Nine.

The King's Titles not to be put in Suit on account of the Re-conquest of this Island.

II. AND be it further Enacted, by the Authority aforesaid, That all and every Person and Persons possessing any Lands, Tenements, or Hereditaments within this Island, and who, or their Ancestors or Predecessors, or other Person or Persons, whose Heirs they are, or whose Estate they have, or claim, have had quiet Possession thereof, without legal Interruption, for the Space of Five Years next before the Beginning of the aforesaid War, in the said Year One thousand Six hundred Eighty-nine, and who have possessed and enjoyed the same from the Re-conquest of the said Island by the *English* to this present Time, without any legal Hindrance thereto, or Claim thereof made in any Court of Record in this Island, shall be deemed and taken, and they, their Grantees, Assigns, and Devisees, are hereby declared to be rightfully and lawfully seized of an indefeasible Estate of Inheritance in Fee-simple, of and in such Lands, Tenements, and Hereditaments, as effectually, to all Intents and Purposes, as if such Ancestor, Predecessor, or other Person or Persons, had been seized thereof in Fee-simple, by and under the most firm Conveyance and Assurance in Law whatsoever; any Law or Statute to the contrary in any wise notwithstanding.

What Term of Years shall be deemed to give an indefeasible Right to any Land, &c.

III. PROVIDED nevertheless, if any Person or Persons, that is or are intitled to such Lands, Tenements, or Hereditaments, or that have Right or Title of Entry therein or thereunto, be at the Time of the making of this Act, within the Age of Twenty-one Years, Feme-covert, *Non compos mentis*, Imprisoned, or beyond the Seas (that is to say, not living nor dwelling within any of the said Leeward *Charribbee* Islands) that then such Person or Persons shall or may bring his Action, or make his Entry, as he might have done before this Act, so as such Person or Persons shall, within Three Years next after his or their full Age, Discoverture, coming of sound mind, Enlargement out of Prison, or coming into this Island, take Benefit of, and sue for the same, and at no time after the said Three Years.

Clause relating to Non-age, &c.

IV. PROVIDED also, That nothing in this Act contained shall extend to, or be construed to vest or give any Estate of Inheritance in or to any Tenant in Dower, or Tenants for Life or for Years, of or in any Lands, Tenements, or Hereditaments, or to any Person or Persons, claiming or to claim by or from them, or any of them; but that every Person or Persons, who have, or shall or may have, the immediate Right to the Reversion, Remainder, or Inheritance of or in such Lands, Tenements or Hereditaments, so held as aforesaid, expectant upon the Determination of such particular Estate or Estates, shall and may, at any Time within Twenty Years next after the Determination of such Estate, and if such Estate or Estates be already determined, within Twenty Years next after the Date of this Act, make their Entry into such Lands, Tenements, or Hereditaments, and prosecute such their Right thereto; any-thing in this Act contained to the contrary notwithstanding.

Proviso. That nothing in this Act shall be construed to give an Estate of Inheritance to any Tenant in Dower, &c.

Persons having Reversions, &c. to enter within 20 Years.

V. AND whereas, upon the Reducement of this Island by the *French*, in the Year One thousand Six hundred Sixty-six, several Subjects of the Crown of *France* did, for very small Considerations, purchase, or pretend to purchase, of and from the Subjects of the Crown of *Great Britain*, several Plantations and Tracts of Land, Tenements, and Hereditaments, lying and being in that Part of the said Island, commonly called or known by the Name of the *English Quarters*, which said Plantations or Tracts of Land, Tenements, and Hereditaments, by the Articles of Peace and Friendship concluded and agreed upon by and between the said Two Crowns at *Breda*, in the Year One thousand Six hundred and Sixty-seven, were ascertained and confirmed to such *French* Purchasers, unless the then former *English* Proprietors, by a certain Day in and by the said Articles of Peace limited, and for that Purpose appointed, did repay the Price of the first Purchase, and for all Meliorations or Improvements made thereon by such *French* Purchasers; which many failing or neglecting to do, the *French* remained possessed thereof, till they, for valuable Considerations, sold the same again to the *English*, or otherwise forfeited the same; by and under which second Purchases or Forfeitures many Plantations and Tracts of Land, Tenements, and Hereditaments, are now held in this Island: Be it therefore Enacted, by the Authority aforesaid, That all and singular Conveyances, Assurances, and Assignments of Lands, Tenements, or Hereditaments, made by the said *French* Subjects, or by any other, who were or was in Possession of such Lands, Tenements, or Hereditaments, after the Expiration of the Time

Assignments of Lands by the French to be deemed valid in Law.

1718-19. limited in and by the aforesaid Articles of Peace and Friendship, for Redemption thereof, shall be, and hereby are declared to be good and valid in the Law; and all Grants and Letters Patents, made under the Great Seal of the said Leeward Islands, of Lands, Tenements, or Hereditaments; so forfeited by such *French* Subjects, or any of them, before the said Year One thousand Six hundred Eighty-nine, shall be, and likewise are hereby declared to be good and valid in the Law; and such Conveyances, Assurances, Assignments, Grants, and Letters Patents, shall and may be Pleaded in bar of all or any Claim or Pretence of Right, Title, or Interest, of, in, or to, such Lands, Tenements, or Hereditaments, prior to the said Purchases or Possessions of such *French* Subjects, or any of them; or otherwise, such Conveyances, Assurances, Assignments, Grants, and Letters Patents, or authentick Copies thereof, (if the Originals be lost or destroyed,) may be given in Evidence to a Jury, upon the general Issue, in any Court of the said Island, where any Action shall be commenced or brought for any such Lands, Tenements, or Hereditaments, which shall be as valid and effectual in Law, as if the same had been pleaded specially, and the Jury upon such Trial are to receive the same as Evidence:

Such Assignments, &c. to be pleaded in Bar of any Claim of Right, &c. to such Lands, &c. prior to the Purchases of such *French* Subjects, or may be given in Evidence to a Jury upon the General Issue.

Clause relating to forfeited Lands.

VI. AND whereas many of the said *French* Subjects, who continued to hold such their Lands, Tenements, and Hereditaments, in the aforesaid Part of the Island, commonly known by the Name of the *English Quarters*, by virtue of the said Articles of Peace, till the breaking out of the said late War, did then renounce the Protection of the Crown of *Great Britain*, and did continue under the then *French* Government of the said Island, and after the said Re-conquest of the same, did abdicate such their Lands and Possessions, and go off the said Island with other the Subjects of the *French* Crown: And whereas many of the natural born Subjects of the Crown of *Great Britain*, did at that Time, contrary to the Duty of their Allegiance, most traiterously and wickedly rise and go into open Rebellion, and adhere to the *French*, the then declared Enemies of the said Crown of *Great Britain*, and not only joined with the said Enemies in the subduing of the said Island, but afterwards remained in the Dominions of the Crown of *France*, in professed Hostility, and committed divers treasonable Acts, without any Sense of Loyalty to their then lawful Sovereigns King *William* and Queen *Mary*, of glorious and immortal Memory, or of natural Affection to their native Countries, for which there was good Reason and lawful Cause that they should be attainted of High treason, and their Estates Confiscated to the Use of the said Crown of *Great Britain*; but, for want of a Civil Administration of the Government of the said Island for many Years after the said Re-conquest thereof, the same was not done in such Method and Form as the Law of the Land required; yet nevertheless, for the better resettling and strengthening of the Island, the Lands, Tenements, and Hereditaments, of such Rebels and Traitors were, by Letters Patents, Grants, and Writings, made under the Great Seal of the said Leeward Islands, given and granted to several Persons who assisted in retaking the said Island, and who, at very great Expences, and much Labour and Industry, settled and improved the same, to the great strengthening of the Island, and the Increase of the Revenues of the said Crown of *Great Britain*: To the End, therefore, that such dutiful and loyal Subjects might be encouraged, and an indelible Mark of Infamy set upon such Traitors and Rebels, it is hereby declared and enacted, That all and every the Lands, Tenements, and Hereditaments, in the said *English Quarters* of the said Island of any *Frenchman*, *Frenchwoman*, or *French* Subject, who quitted and deserted the same, as aforesaid, and went off the Island with other *French* Subjects, and are dead, or yet survive within the Dominions of the *French* King; and also all and every the Lands, Tenements, and Hereditaments in the said Island, of all and every the natural born Subjects of the Crown of *Great Britain*, who at the Time aforesaid, did go into open Rebellion, and commit such treasonable Acts as aforesaid, and did receive Aid, Succour, or Protection from the Crown of *France*, were by them, and every of them, forfeited and lost; and that the absolute Fee thereof became thereby vested in Their said late Most Sacred Majesties King *William* and Queen *Mary*, in Right of Their Crown of *Great Britain*, notwithstanding that such Person or Persons were not legally attainted or convicted of Treason, or that no regular Proceedings were had for the Confiscation or Seizure of such Lands, Tenements, or Hereditaments, and notwithstanding any Law or Usage to the contrary.

Grants of the Crown of the said Lands to be valid.

VII. AND, to the End and Intent that the said Letters Patents, Grants, and other Writings, should be good, available, and of perfect Force and Effect to all and every Your Majesty's loyal Subjects, according to the true Meaning and Effect of the same; be it enacted by the Authority aforesaid, That all and singular the Letters Patents, Gifts, Grants, and Writings, sealed under the Great Seal of the said Leeward Islands, and made by Their said late Majesties, or by Her late sacred Majesty Queen *Anne*, of blessed Memory, or by Your Most Excellent Majesty, or by any Captain-general, or Governor, or Commander in chief of the said Leeward Islands, in the Name or Names of Your Majesty, or Your said Royal Predecessors, or any of them, for any Sum or Sums of Money, or other Consideration or Cause, to any Person or Persons whatsoever, of the said Lands, Tenements, and Hereditaments, or

of

of any Part or Parcel of them, in and by this present Act declared to be forfeited, as aforesaid ^{1718-19.} shall be good, perfect, and effectual in the Law, as well against all and every such *Frenchman*, *Frenchwoman*, and *French Subjects*, who quitted such their Estates and Possessions, as aforesaid, and their Heirs and Assigns, as against all and every such natural born Subjects of the said Crown of *Great Britain*, who so went into Rebellion, and adhered to the then Enemies, as aforesaid, and their Heirs and Assigns, according to the Tenor and Effect of the said Letters Patents, Grants, or Writings, the same to be construed, deemed, and adjudged most beneficially for the Patentees and Grantees of the said Lands, Tenements, or Hereditaments, their Heirs, and Assigns; any lack of finding of Offices or Inquisitions of and in the Premises, or any Part thereof, whereby the Title of the said Crown of *Great Britain* therein ought to have been found, before the making of such Letters Patents, Grants, or Writings, notwithstanding.

VIII. PROVIDED nevertheless, That such Rebels and Traitors, and their Heirs, pretending Title to any Lands, Tenements, or Hereditaments, in this Island, so forfeited as aforesaid (having first obtained Licence from Your Most Sacred Majesty, under Your Privy Seal for that Purpose) shall and may, within two Years after the Date of this Act, and at no Time after, prosecute such their Claim, or pretence of Right, in any Court of Record in the said Island; and if any such Person or Persons shall recover any of the Lands, Tenements, or Hereditaments, so given and granted by the Crown, as aforesaid, that then the Person or Persons who shall so recover the same, shall forthwith, upon such Recovery, pay to the Person or Persons, against whom he or they shall so recover, or their Assigns, such Sum and Sums of Money as was or were paid by him or them, his or their Ancestors, Predecessors, or other Person or Persons, whose Heir or Heirs he or they is or are, or whose Estate he or they have, to the Crown, or otherwise whatsoever, for the said Lands, Tenements or Hereditaments, and also the full Value of all Meliorations and Improvements made thereon; and likewise release and discharge the Defendant or Defendants in such Action or Actions, their Heirs, Executors, and Administrators, of and from all Damages, and all Rights and Pretensions to the mean Profits of such Lands, Tenements, and Hereditaments; otherwise such Person or Persons so recovering, shall be, and hereby is and are utterly barred and for ever foreclosed of and from all or any Right, Title, Claim, or Pretence whatsoever, in Law or Equity, of, in, or to the said Lands, Tenements, or Hereditaments; the said Recovery, or any Judgment given in the said Courts in Favour of such Claimer or Recoverer, notwithstanding; and upon Non-payment of the said Monies, and releasing the said Damages and mean Profits, according to the Tenor of this Act, such Judgment and Judgments so given for the said Claimer or Claimers, or Person or Persons so recovering such Lands, Tenements, or Hereditaments, is and are hereby declared to be null, void; and of none Effect.

IX. AND be it further enacted, by the Authority aforesaid, That where any Person or Persons, possessed of, or intitled unto, any Lands, Tenements, or Hereditaments in the said Island, hath or have, by Means of the late Wars, or by Fire or Hurricanes, lost his or their Deeds, Writings, or Evidences of such their Lands or Estates, and where also the Records or Registries thereof are lost, burnt, or destroyed; such Person or Persons, upon making Oath that he or they have actually so lost such their Deeds, Writings, or Evidences, shall be admitted to prove his or their Title or Titles by the Oaths of two or more credible Persons; which Evidences, unless disproved by more and better Evidences, shall be good and effectual in the Law; and in such Case the Jury at the Trial of any Title of Lands, Tenements, or Hereditaments, in the said Island, are to take Notice of the same.

X. AND be it further enacted, That this Act shall be taken and allowed in all Courts within this Island as a public Act; and all Judges and Juries are hereby required to take Notice thereof, without special pleading the same.

XI. PROVIDED always, That this Act shall not be deemed or taken to be in Force until Your Majesty's Pleasure shall be known relating thereunto; but that from and immediately after Your Majesty's Approbation thereof, the said Act shall be in Force in this Island for ever.

No. 39.

1719.

An Act for settling a Salary on WILLIAM NEVIN, Esquire, Agent for the Island of St. CHRISTOPHER'S, in LONDON, during his Agency.

Repealed by Act No. 62 passed in the Year 1724.

No.

1719.

No. 40.

Expired.

An Act for laying a Tax on Vintners, Victuallers, and Retailers of Wine, Rum, and Rum-punch, and other Strong liquors; and for lessening the Number of Distillers in the Island of St. CHRISTOPHER's; and to enable the Treasurer to demand and receive all Arrearages and Debts which remain due and in Arrear from Victuallers, and Retailers of Wine and other Strong liquors, by virtue of a former Act of this Island.

No. 41.

Expired.

An Act for raising an Impost upon Liquors imported into the Island of St. Christopher's; and to enable the Treasurer to demand and receive all Arrearages and Debts which remain due and in Arrear for Liquors imported into this Island, and for which any Duty was payable by virtue of a former Act of this Island, bearing Date the Nineteenth Day of February, in the First Year of His Majesty's Reign.

1720.

No. 42.

Expired.

An Act for raising a Tax by the Poll, on all Slaves in this Island; and also for raising Five hundred Pounds on the inland Trade of the same.

No. 43.

Obsolete.

Three other Acts have been passed to this Purpose, videlicet, one in 1733 4, No. 95. another in 1739, No. 105. and the last in the Year 1744, No. 135.

*An Act for giving Titles to Inhabitants building Houses upon Brimstone Hill. **

No. 44.

Expired.

An Act for employing Negroes on the Fortifications of this Island; and for rendering more effectual, and explaining an Act passed this Year, intituled, An Act for raising a Tax by the Poll on all Slaves in this Island; and also for raising Five hundred Pounds on the inland Trade of the same.

1722.

No. 45.

Expired.

An Act to repeal a certain Act of the Council and Assembly of the Island of St. CHRISTOPHER's, intituled, An Act for raising an Impost upon Liquors imported into the said Island; and for imposing certain Duties upon Wines, Beer, Ale, Cider, and other Liquors, hereafter to be imported into the same Island.

No. 46.

Expired.

An Act for laying of certain Duties upon Sugars, Molasses, and other Goods of the Growth and Manufacture of the Island of St. CHRISTOPHER's, to be exported out of the said Island.

No. 47.

1722.

An Act for raising of Gunpowder and Small Arms upon the Tonnage of Vessels trading to and with this Island, for the Use of His Majesty's Fortifications within this Island. Expired.

No. 48.

An Act for the settling the Sum of Two thousand Pounds per Annum, of current Money of the Island of St. Christopher's, during the Term therein mentioned, upon his Excellency JOHN HART, Esquire, the present Chief Governor of all His Majesty's Leeward Charribbee Islands in America, for the more honourable Support of the said Governor, and the Dignity of this His Majesty's Government. Repealed by Act No. 72, passed in the Year 1727.

No. 49.

An Act for the Continuance of such Part of an Act for employing Negroes on the Fortifications of this Island, and for rendering more effectual, and explaining an Act, intituled, An Act for raising a Tax by the Poll on all Slaves in this Island, as also for raising Five hundred Pounds on the Inland Trade of the same, as relates to the employing of Negroes upon the said Fortifications. Expired.

No. 50.

An Act to regulate the Militia of this Island. Expired.

No. 51.

An Act for the good Government of Servants, for ordering the Rights between Masters and Servants, for encouraging the Importation of Servants, for directing a due performance of Contracts, and for Payment of Wages to Artificers, Workmen, and Labourers.

WHEREAS nothing can tend more to the strengthening of this Island, than there being on it a sufficient Number of Christian Servants, Labourers, and Artificers: And it being therefore necessary to enforce by a Law as well the encouraging good and faithful Servants, as also to establish the Rights due to them from their respective Masters; and further, for restraining dissolute, disorderly, and negligent Servants; and for encouraging the Importation of Servants: We therefore, Your Majesty's most dutiful and loyal Subjects, the Governor in Chief of these Your Majesty's Leeward Charribbee Islands, the Council and Assembly of this Island, pray Your Most Excellent Majesty that it may be Enacted; and be it, and it is hereby Enacted by the King's most Excellent Majesty, by and with the Advice and Consent of His Majesty's chief Governor of the Leeward Charribbee Islands, the Council and Assembly of St. Christopher's, and by the Authority of the same, That all and every Servant or Servants retained by Indenture to serve for Year or Years, either for certain yearly Wages, or the Consideration of Cloaths and Sustenance, shall faithfully and truly serve his or their respective Master, Mistress, or Owner, according to the true Purport and Intent of the said Indenture: And whatsoever Servant or Servants shall wilfully, obstinately, or negligently absent him or herself from his or her Master or Mistress's Service, upon Conviction thereof, by the Oath of one or more Witnesses, or his or her own Confession before some one of His Majesty's Justices of the Peace within this Island, shall for every Day's Absence or Loss of Service, be adjudged and ordered by the said Justice to serve his said Master or Mistress Two whole Days after his Term is expired; and every Master or Mistress is required to keep such a distinct Account of their Servant or Servants Absence, or wilful Loss of Service, as to prove the same by their own or some other's Oath before the aforesaid Justice of the Peace.

Servants retained by Indenture faithfully to serve their Masters.

Penalty on Servants Neglect of Duty.

1722.

Penalty on Persons entertaining them.

II. AND be it further Enacted, by the Authority aforesaid, That whosoever, either Master or Mistress of a Family, or Captain of a Ship, or other Person whatsoever, shall entertain any Man or Woman above one Night, if he doth not know him or her to be free, shall, for every Day or Night after the first, forfeit Twenty Shillings current Money of this Island; and if he knows him or her to be a Servant to another Person, and do, notwithstanding, wilfully entertain him or her, he shall forfeit Three Pounds current Money of this Island, for every Day or Night he shall entertain such Servant so absenting from his respective Owner's Service: The whole said Forfeiture to be to the said Master or Mistress of the said Servant; to be recovered by Action of Debt, or Information in any Court of Record in this Island: And if any Overseer, Freeman, Labourer, or Servant, shall entertain or hide any Servant belonging to any other Plantation or Master; such Overseer, Freeman, Labourer, or Servant, not being able to give in sufficient Security to answer an Action of Law, as above enacted, shall, upon Conviction of such Offence before two of His Majesty's Justices of the Peace, receive such open and condign Punishment, or make such other reasonable Satisfaction to the Master or Owner of the Servant so entertained by him, as the said two Justices in their Discretion shall order and adjudge.

Masters, &c. of Plantations to apprehend suspected Persons coming thereon, &c.

Constables to apprehend Stragglers, &c. under the Penalty of 40s.

Constable's Fees for apprehending them.

III. AND if any suspected Person come within any Plantation at unreasonable Hours, or being there, shall stay more than a fitting Time; it shall be lawful for the Master, his Overseer, or Servant, to apprehend such Person, and keep him in Custody till he may be brought to the next Constable; And all Constables are required to receive and apprehend all such Stragglers or Run-aways as shall be brought to them, or they shall know of by credible Information, under the Penalty of Forty Shillings current Money of this Island for each Neglect or Refusal as aforesaid; and them in safe Custody to convey to the common Gaol, or to their respective Masters or Mistresses; for which the said Constable shall be paid ten Shillings current Money of this Island Fee, and one Shilling *per* Mile for travelling Charges; to be paid by the Provost-marshal, or his Deputy, if such Servant be delivered at the common Gaol, or by the respective Master or Mistress, if delivered to them: And in case of the said Master's or Mistress's Refusal to receive the said Servants, and to pay the said Fees; then the same to be levied on their Goods and Chattels, by Warrant from the next Justice of the Peace to the said Constable directed, as is usual in other Cases of Distress: And every Marshal, or Deputy Provost-marshal of the said Island for the Time being, are hereby required to receive all such Servant or Servants, as shall be delivered to them at the common Gaol by any Constable, and to pay to the said Constable the Fees abovementioned, under the Penalty of forfeiting Five Pounds current Money of this Island for every Offence; to be recovered by the aggrieved Person against him, by Action of Debt, or Information in any Court of Record in this Island: And the Provost-marshal, or his lawful Deputy, shall the said Servant or Servants in safe Custody keep, until the respective Master or Mistress send for the same, who shall pay the whole Fees, as well those already paid to the Constable, as the further usual Fees of Imprisonment due to the said Marshal, before the said Servant or Servants shall be delivered to them.

To serve their Owners double the Time they are in Gaol.

IV. AND it is further Enacted, by the Authority aforesaid, That all such Servants who shall be in Gaol for their own Offences, shall serve their Master or Mistress double so long Time, after the Expiration of the Time they have to serve by Custom, Indenture, or Contract, as he or they have lain in Gaol for such their Offences as aforesaid; and shall serve his or her said Master or Mistress such further Time, as shall be ordered and adjudged by Two Justices of Peace, for Satisfaction of the Fees, and other Charges his or her Master or Mistress hath expended for him or her.

Penalty on Keepers of Public Houses for entertaining them.

V. AND be it further Enacted, by the Authority aforesaid, that if any Person or Persons, who keep a public House, or sell strong Liquors by retail, shall entertain, receive, or suffer any Servant or Servants to be drunkening, tippling, or loitering away their Time at his or their Houses; that such Person or Persons shall be indicted at Sessions, as keeping a disorderly public House; and upon Conviction be fined by the Justices of the Sessions in their Discretion.

Punishment of Servants assaulting their Masters, &c.

VI. AND be it further Enacted, by the Authority aforesaid, That if any Servant shall wilfully or maliciously make any Assault or Affray upon his Master or Mistress, or upon any other that shall, at the Time of such Assault or Affray, have the Charge or Oversight of any such Servant, or of the Work; and being thereof convicted before Two of the Justices of the Peace, by Confession of the said Servant, or by the Testimony, Witness, and Oath, of One credible Witness; that then every such Offender shall suffer Imprisonment by the Space of one whole Year, or less, at the Discretion of the Two Justices; and if that Punishment be too small, then to receive such other open Punishment, so as it extend not to Life or Limb, as the Justices of the Peace in open Sessions shall think equal to the Quality of the said Offence so done or committed.

Their Apparel, Diet, &c.

VII. AND for the due Encouragement of Servants doing their Duty, be it Enacted, by the Authority aforesaid, That all Masters, Mistresses, or others, who shall have the Care of

of any Servant or Servants retained by Indenture,* Contract, or other Agreement whatsoever, to serve for the Consideration of Cloaths and Diet, shall yearly allow and give to each Servant so retained, the following Apparel; viz. Four Shirts, of brown or blue Ozenbrigs, four Pair of Breeches, and four Waistcoats, of brown Ozenbrigs; four Pair of Shoes; three Pair of worsted Hose; two Felt Hats; two Neckcloaths, and two Handkerchiefs; and one large or other Stuff Coat to each Man-servant; and proportionably of Woman's Apparel to each Woman-servant; and shall further give and pay, at the Expiration of four or more Years faithfully served, to each such Servant, the Sum of four Pounds current Money of this Island, or Six hundred Pounds of Sugar, as the Consideration of Wages for their Time served: And each Master, Mistress, or Manager, shall allow and give to each Servant, during the Time of their Servitude, the following Diet; viz. One Pound and a half of Salt Beef; and four Pounds of *Cassava* or other Bread, or four Pounds of Potatoes, Yams, or Tyers *per* Day.

VIII. AND it is further enacted by the Authority aforesaid, That all such Differences as shall arise, in Point of Wages between a Master and his Servant, retained by Indenture or Covenant to serve for yearly Wages; or between a Master and his Overseer, Labourer or Artificer, for Performance of Contracts for Work done, or for their respective Wages or Salaries, or Contracts, shall be heard and determined by two Justices of the Peace; who are hereby empowered, upon any such Complaint, to issue their Warrants, and summon the Parties before them, and to hear, examine, and determine all such Differences, Cause of Complaint, Damage, or Prejudice, and examine the Parties themselves upon Oath, where no other Proof can be had, and shall make such Order therein, as the Justice of the Cause shall require; and shall issue Execution thereupon, by Warrant under their Hands and Seals, for any Sum not exceeding thirty Pounds current Money of this Island, which Warrant shall be directed to the Provost-marshal, or his lawful Deputy, who shall, under Penalty of Three Pounds current Money of this Island, perform punctually his Duty herein; who, by virtue hereof, shall levy on the Goods and Chattels of the Debtor, and make sale thereof by public Outcry, after ten Days Publication, at the nearest Town, rendering the Overplus, if any, after the Debt and Charges paid, to the Owner; any Law, Custom, or Usage to the contrary notwithstanding.

Differences between Masters and Servants how determined;

IX. AND it is further enacted by the Authority aforesaid, That it shall not be lawful for any Person, when his Servant grows sick, or unable to perform his daily Labour, to remit any Part of such sick Servant's Time to be cleared of him, or to turn off any such Servant, whereby he may happen to perish for want, or become chargeable to the Parish: And if any Master, Mistress, or other Person, having the Charge of Servant or Servants, shall offend herein, or shall not use and endeavour all lawful Means for the Recovery of such their Servants, as shall happen to be sick or diseased during the Time of their Servitude; such Master, Mistress, or other Person, shall forfeit the Sum of Fifteen Pounds current Money of this Island; to be levied by Warrant of the Justice of the Peace before whom it shall be proved by the Oath of one, or more Witnesses, and paid into the Hands of the Churchwardens of the Parish; to be disposed of towards the Maintenance of such Servant so turned off, and Recovery of his or their Health and Strength; and the said Servant so neglected or turned off, to be freed from his said Master; but in case such sick Servant shall not live to the expending the said whole Sum of fifteen Pounds, then the Remainder to be disposed of towards the Maintenance of the other Poor of that Parish.

Penalty on Masters turning off Servants when sick.

X. PROVIDED always, That in case any Servant or Servants in this Island shall, through his or their own wilful Misbehaviour, happen to have any Disease, or any broken Bones, Bruises, or other Impediments, whereby they have not only disabled themselves to perform their Labour as they ought to do, but also are a greater Charge, for Physick and Chirurgery, to their Master or Mistress than formerly; for Satisfaction of such Master or Mistress in every such Case, the Servant shall serve his or her said Master or Mistress, after the Time by Indenture or otherwise be expired, an equal Space of Time, as he or she by any such Means and Accident were disabled to serve; any thing herein before provided to the contrary notwithstanding: And in case of Refusal to serve for such Time, the Servant so refusing shall, upon Complaint and Proof of the Premises made by the Master or Mistress before any Justice of the Peace in this Island; be committed to the common Gaol, there to remain, to be kept upon Bread and Water only, for such Space of Time as he or she ought to serve as aforesaid.

Proviso. That Servants becoming diseased by their own Default, shall serve as long after the Time by Indenture is expired as they were sick, &c.

Penalty on Default.

XI. AND be it further enacted by the Authority aforesaid, That in all Cases whatsoever, where any Master or Mistress shall misuse or evil treat his Servant, or his Servant shall have any just Cause to complain, or the Servant do not his Duty to his or her Master or Mistress; then the said Master, Mistress, or Servant, being aggrieved, and having Cause to complain, shall repair unto one or more Justices of the Peace within this Island, who shall by his or their Wisdom and Discretion, make such Order and Direction between the said Master, Mistress, and his or her Servant, as the Equity of the Cause shall require:

Complaints on either Side how to be adjusted.

And

1722.

And if for want of good Conformity in the Master or Mistrefs, the said Justice or Justices of the Peace cannot compound and agree the Matter between him or her and the Servant; then the said Justice shall take Bond of the said Master or Mistrefs, to appear before the Justices at the next Sessions of the Peace, or before the chief Governor, Lieutenant-governor, or President of the Council, and Council, at one of their four next Sitzings in Council; and upon his Appearance, and a Hearing of the Matter, before the said Justices, or before the said chief Governor, Lieutenant-governor, or President of the Council, and Council, if it be thought meet unto them, to discharge the said Servant of his Service; that then the said Justices, or four of them at the least (whereof one of them to be of the *Quorum*) and the said chief Governor, or Lieutenant-governor, or President of the Council, and Council, if it be heard before them, shall have Power, by the Authority hereof, in Writing under their Hands and Seals, to pronounce and declare, that they have discharged the said Servant of his Service, and the Cause thereof; and the said Writing so being made and enrolled by the Clerk of the Peace, or Clerk of the Council, among the Records that either keepeth, shall be a sufficient Discharge for the said Servant against his Master or Mistrefs, his or her Executors and Administrators, and against the Indenture of the said Servant; any Indenture, Custom, or Law to the contrary notwithstanding: And if the Default shall be found to be in the Servant; then the said Justices, or the chief Governor, or Lieutenant-governor, or President of the Council, and Council, shall cause such due Corrections and Punishments to be given unto him, as in their Wisdom and Discretion shall be thought fit.

Treasurer to pay
25l. for every
Servant that
cannot be sold,

XII. AND it is further enacted by the Authority aforesaid, That if any Merchant or Master of a Vessel shall import any Men-servants or Women-servants for sale, if he cannot sell such Servant or Servants in a reasonable Time, then it shall be lawful for such Merchant, or Master of a Vessel, to offer such Servant or Servants to the Treasurer of this Island for the Time being; who is required, under Penalty of Five Pounds current Money of this Island for each Servant (in case of refusal) proved before the Commander in chief of this Island for the Time being, by the Oath of the said Merchant or Master of a Vessel, to receive all such Servant or Servants so offered unto him, being Natives of the Kingdom of *Great Britain*, or of any of the *British* Plantations or Colonies, or Natives of *Ireland*, being Protestants, and to pay out of the public Stock to the Merchant or Master the Sum of fifteen Pounds current Money of this Island, for every able Man-servant who is under Covenant to serve four Years or more.

and to assign
them to those
who have not the
Number requir-
ed by Law.

XIII. AND it is further enacted by the Authority aforesaid, That the Treasurer of this Island for the Time being, having received and purchased any Servant as aforesaid, shall immediately assign over such Servant to any Planter, or other Persons who have not their sufficient Number of Servants, or Men in Arms, required of them by any Law of this Island now in force, or any Law to be hereafter made for that Purpose; And the Person to whom such Servant shall be assigned, is hereby required and obliged to receive such Servant, and to repay unto the Treasurer the aforesaid full Sum of fifteen Pounds, and the further Sum of three Pounds current Money, as a Consideration for the Treasurer's Pains therein, besides his reasonable Charges for the Time he hath kept such Servant before he could assign him over: And if any Person shall, without reasonable Cause, to be adjudged and determined by the chief Governor, or Lieutenant-governor, and Council (if any Dispute should arise) refuse to receive any such Servant or Servants so offered to be assigned him by the Treasurer, and to pay the said Treasurer the aforesaid Sums of fifteen Pounds, and three Pounds, and his reasonable Charges for each Servant so delivered to him or her, as aforesaid; then the Treasurer shall, by a Warrant under the Hand and Seal of the chief Governor, or Lieutenant-governor, directed to the Provost-marshal, or his lawful Deputy, levy the aforesaid Sums and Charges on the Goods and Chattels of the Person so refusing, and shall make sale thereof, by public Outcry, at the nearest Town, after ten Days Publication thereof at the said Town; rendering the Overplus, if any after the Debt, Fees, and Charges paid, to the Owner; any Law, Statute, or Usage to the contrary notwithstanding.

Penalty on Per-
sons refusing to
receive them.

Fines how to be
levied and appli-
ed.

XIV. AND be it further enacted by the Authority aforesaid, That all Fines to be levied by virtue of this Act, and for levying of which no Provision is particularly made, be levied by Warrant under the hand and Seal of the Commander in chief of this Island for the Time being, directed to the Provost-marshal of this Island for the Time being, or his Deputy, who shall execute immediately such Warrant, under Penalty of double such Fine: And such Fines not already by this Act applied, are to be immediately paid into the Treasury of this Island; to be applied by Order of the Commander in chief of this Island for the Time being, towards repairing the Fortifications of this Island: And the Treasurer of this Island, under the Penalty of Five Pounds current Money of this Island, shall, by Certificate under his Hand notify to the Commander in chief of this Island for the Time being, what Sums he shall so receive, within three Days of such Receipt.

No. 52.

1722.

An Act for attainting several Negroes therein mentioned; and for the more effectual preventing Negroes from running away from their Masters Service; and for explaining and rendering more effectual an Act, intituled, An Act for the better Government of Negroes, and other Slaves.

Another Act was passed in 1759, which punishes a Negro or other Slave with Death for attempting to poison a white or free Person.
Vid. No. 180.

Preamble.

WHEREAS it has been found by Experience, that the laws now in Force for the better Government of Negroes, and other Slaves, and for punishing such as do withdraw from the Service of their Masters, have proved too mild and gentle to curb and restrain them; and that they have so abused the Lenity of the Laws, that great Numbers of them have deserted the Service of their Masters, and fled to the mountainous Parts of this Island, and there have armed and assembled themselves in Bands, to oppose their Masters, and any that come in Pursuit of them; and in the Night Time, when they cannot be easily discovered or taken, do frequently commit divers Thefts and Robberies in the Plantations of this Island, to the insupportable Wrong and Damage of many of His Majesty's good Subjects: And whereas they are daily enticing other Negroes to resort to, and join with them; and it is much to be apprehended, that their Numbers will very much increase, without the Aid of some Law, to give some extraordinary Encouragement for the taking their Chiefs or Ringleaders, and for the inflicting of condign Punishment upon such as shall be taken: And whereas it is notorious, That *Johnny Congo*, belonging to the Honourable Lieutenant General *Matthew, Christopher*, belonging to *William M'Dowel*, Esquire, and *Antego Quamina*, belonging to *Marmaduke Bachelier*, Esquire, have, for a long while past, and still do, head several armed Bands, or Companies of fugitive Negroes in this Island, and do all that in them lies to entice other Negroes to desert their Masters Service, and join with them; and have themselves committed, and been the Occasion of committing, many flagrant Thefts and Felonies: We, therefore, Your Majesty's most dutiful and loyal Subjects, the Chief Governor of all Your Majesty's Leeward *Charribbee* Islands in *America*, and the Council and Assembly of the Island of St. *Christopher's*, do most humbly pray Your Majesty that it may be enacted; and it is hereby enacted, by the King's Most Excellent Majesty, by and with the Advice and Consent of the chief Governor, Council, and Assembly aforesaid, and by the Authority of the same, That the said *Johnny Congo*, *Christopher*, and *Antego Quamina*, and every of them, be, and hereby are, convicted and attainted of Felony, and shall suffer the Pains of Death.

Three Negroes attainted of Felony.

Reward for apprehending them

II. AND, for the encouraging the speedy taking the said *Johnny Congo*, *Christopher*, and *Antego Quamina*, it is hereby further enacted, by the Authority aforesaid, That if any white Person or Persons shall apprehend and take the said *Johnny Congo*, *Christopher*, and *Antego Quamina*, or any of them, and shall deliver his or their Bodies alive into the Custody of the Provost-marshal of this Island, or his lawful Deputy, or shall bring sufficient Proof of the said white Person's having, in Pursuit of the said Negro or Negroes, killed him, or any of them; he or they shall, for each of the said Persons so taken and delivered, or killed as aforesaid, receive from the Treasurer of this Island for the Time being (who is hereby authorized and required to pay the same, upon a Certificate thereof from the said Provost-marshal, attested by any one Justice of the Peace of the said Island) a Reward of Thirty Pounds current Money of this Island, or the Value thereof in Sugar.

III. AND, for the preventing any Negroes, or other Slaves, deserting their Masters Service for the future, and also for the encouraging of such as are deserted to return thereto; be it, and it is hereby enacted, by the Authority aforesaid, That where any Negro, or other Slaves, who hath or shall have lived upon this Island for the Space of twelve Months, shall at any Time after the Publication of this Act, absent or withdraw himself from his Master's, Owner's, or Renter's Service for the Term of six Months in one continued Space of Time; or where any such Negro, or other Slave, that now is absent from his Master's, Owner's, or Renter's Service, shall not return to the same within the Space of three Months after the Publication of this Act; every such Offence shall be adjudged Felony, and the Offenders, and every one of them, shall suffer Death.

Slaves absenting from their Master's Service for 6 Months how to be punished.

IV. AND in case any Negro, or other Slave, that now is absent from his Master's Service, except the aforesaid *Johnny Congo*, *Christopher*, and *Antego Quamina*, shall voluntarily come in, and surrender himself to his Master, or any Magistrate in this Island, within the aforesaid Term of three Months; such Negro, or other Slave, so surrendering, shall be, and is hereby pardoned and acquitted of any Offence (Murder only excepted) which he shall or may have committed during the Time of such his Absence, and before his Notice of this Act.

Encouragement for absent Negroes to return to their Owners.

1722.

Reward for killing or taking them.

V. AND be it further Enacted, by the Authority aforesaid, That any Person or Persons who shall kill any Negro, or other Slave, who has been absent for the aforesaid Term of six Months, in one continued Space of Time from his Master's, Owner's, or Renter's Service, after the Publication of this Act; or shall apprehend or take any such Negro, or other Slave, so as that he be legally convicted of such Offence; such Person or Persons shall receive a Reward for every such Negro, or other Slave, so killed or taken, from the Treasurer of this Island for the Time being (who is hereby authorized and required to pay the same) upon due Proof made before any Magistrate of this Island, of his or their killing such Negro, or other Slave, or upon Certificate of such Conviction from the Magistrate before whom such Negro, or other Slave, was tried, the Sum of Six Pounds, current Money of this Island, or the Value thereof in Sugar.

Entertaining, &c. run-away Slaves to be punished.

VI. AND be it further Enacted, by the Authority aforesaid, That after any Negro, or other Slave, is or shall be run-away from the Service of his Master, Owner, or Renter; every Negro, or other Slave, who, knowing such Negro, or other Slave, is run away from his Master's, Owner's, or Renter's Service, shall entertain, harbour, receive, or conceal, or any ways aid, assist, or comfort; afford or give any Sustenance to any such Negro, or other Slave, so run away, shall, upon Conviction thereof, according to the Laws and Customs of this Island, for the first Offence be publicly whipt upon the bare Back with any Number of Stripes not exceeding fifty; and if it shall happen that any such Offender or Offenders shall be convicted a second Time of the like Offence, he or they, upon such second Conviction, shall be adjudged to be publicly whipt, upon the bare Back, with any Number of Stripes not exceeding one hundred; and if such Offender or Offenders shall be thereof convicted a third Time, he or they, upon such third Conviction, shall be adjudged to have a further Number of Stripes, not exceeding one hundred and fifty; and so for each After offence.

Penalty on free Persons harbouring, &c. them.

VII. AND every other free Person or Persons, who, knowing that such Negro, or other Slave, is run away from his Master's, Owner's, or Renter's Service, shall entertain, harbour, receive, or conceal or any ways aid, assist, or comfort; afford or give any Sustenance to any such Negro, or other Slave, so run-away, shall forfeit (to be levied as hereafter directed) for the first Offence the Sum of Ten Pounds current Money of this Island; and for the second Offence, double, and six Months Imprisonment; and for the third Offence, One hundred Pounds, and one Year's Imprisonment; and be moreover liable to pay for any such offence to the Owner of such runaway Negro, or other Slave, such several Sum or Sums of Money as are mentioned and enacted in an Act of this Island, intituled, *An Act for the better Government of Negroes, or other Slaves*, and past in the tenth Year of Her late Majesty's Reign; which said aforementioned Act is hereby confirmed, and declared to be in force, to all Intents and Purposes whatsoever.

Vide No. 2.

When they are apprehended, Two Justices may award Execution against them, &c.

VIII. AND be it further Enacted, by the Authority aforesaid, That whenever any of the aforesaid Negroes, attainted by this Act, shall be apprehended, any two Justices of the Peace may and shall award Execution to be done on his or their Bodies, by Warrant under their Hands and Seals, directed to the Provost-marshal, or his lawful Deputy; and that all Felonies or other Crimes created by this Act, and committed by any Slave, shall be tried and adjudged; and all Slaves condemned to die, before Execution, shall be valued and appraised, to be paid for by the Treasurer of this Island, as is directed by the aforesaid Act; and in all Trials of Negroes, or other Slaves, the Justice or Justices shall and may hear the Evidence of any other Slave, and give such Credit thereunto, as he or they shall in Conscience be convinced such Evidence deserves.

No. 2.

Negro Houses may be searched for such Slaves by the Master, &c. without Warrant, giving Notice, &c.

IX. AND, for the easier and readier apprehending of any Negro, or other Slave, run away from his Master's or Owner's Service; be it, and it is hereby further Enacted, by the Authority aforesaid, That it shall and may be lawful for the Master or Owner of any Negro, or other Slave, or any other Person or Persons by his Direction, to enter any Negro House or Houses, by Night or Day, to search for any Negro, or other Slave, absenting himself from his Service, without any Warrant from any Magistrate for that Purpose, having first given Notice thereof to the Master, Owner, or Overseer, on the said Plantation.

Penalty on their Owners neglecting to prosecute them for Murder, &c.

X. AND be it further Enacted, by the Authority aforesaid, That if any Negro, or other Slave, shall have absented himself from his Master's Service above the Space of six Months; or shall have wilfully murdered any Christian, or Slave belonging to his own Master, and the Master or Owner of such Negro, or other Slave, shall conceal or neglect to prosecute such Slave, guilty of any the aforesaid Crimes, for the Space of three Months after such Offence committed; that then, and in such Case, if any other person shall prosecute such Slave for such Offence, and he, she, or they, shall be legally convicted thereof, the Master or Owner of such Negro, or other Slave, shall forfeit and pay the full Value of the said Slave to the Person or Persons so prosecuting; and the Master or Owner, in such Case, shall be, and is hereby debarred from receiving from the Treasurer or Public of this Island, any Sum or Sums of Money, or other Consideration, for such Negro, or other Slave, so convicted or executed; any thing herein before contained to the contrary thereof in any wise notwithstanding.

XL

XI. AND for the more speedy and effectual enforcing the Payment of such Forfeiture, it is hereby further Enacted, by the Authority aforesaid, That any Justice of the Peace for this Island, may, in such Case, issue out his Warrant, directed to two substantial Persons, to value and appraise such Negro, or other Slave, so prosecuted and convicted, as aforesaid; and in case the Master or Owner shall refuse to pay what he, she, or they shall be so appraised at, to issue his Warrant to the Provost-marshal, or any Constable in the said Island, commanding him to levy the same upon the Goods and Chattels of such Master or Owner, and to pay the same to the Person or Persons so prosecuting as aforesaid.

1722.

Penalties how to be levied.

XII. AND be it further Enacted, That no Master, Owner, or Renter of Negroes, or other Slaves, shall give any Slave or Slaves Leave on *Sundays*, or any other Time, to go out of their Plantations (except such as usually wait upon them, and no other) except with a Ticket under the Master's, Mistress's, or Manager's Hands, specifying the Time allowed such Negro, or other Slave, to be absent; and if any Master or Owner of a Plantation finds any Negro, or Slave, on his Plantation without a Ticket, or Business from his Master or Owner, and doth not punish him with a moderate Whipping, not exceeding twenty Stripes, he shall forfeit Twelve Shillings current Money.

Slaves not to go out of the Plantation without a Ticket, &c.

Penalty on Owners of Plantations not punishing Slaves found thereon without a Ticket, &c.

XIII. AND be it further Enacted, by the Authority aforesaid, That any white or free Person or Persons may apprehend any Negro or Negroes, or other Slave or Slaves, that shall be found out of his Master's or Owner's Plantation at any Time, especially *Saturday-nights*, or *Sundays* and Holy-days, not being on their Master's or Mistress's Business, nor having such a Ticket, or not having a white Man with them, (except as before) and the said Negro or Negroes, Slave or Slaves, may correct with moderate Whipping, as aforesaid: And if any such Negro, or other Slave, shall be armed with Clubs, wooden Swords, or other mischievous Weapons, and found out of their Master's or Owner's Plantation, though with a Letter or Ticket, they may be taken up, disarmed, and whipped, as aforesaid.

Slaves found out of their Master's Plantation to be apprehended and whipt.

Penalty on their being armed with Clubs, &c.

XIV. AND be it Enacted, by the Authority aforesaid, That whatsoever Master, Mistress, Manager, or Overseer, who has any Negroes under his Care, shall suffer his or their Negroes or Slaves, at any time, to beat Drums, blow Horns, or use any other loud Instruments, or shall suffer any public Meetings or Feastings of strange Negroes or other Slaves, in his or her Plantation; he or she so offending shall forfeit Twenty Pounds current Money for every such Offence; provided Information of the same be made and given upon Oath to one of His Majesty's Justices of the Peace of this Island, within one Month after such Offence committed.

Penalty on Owners, &c. suffering them to blow Horns, &c.

XV. AND that every Master, Mistress, or Overseer of a Family, shall, under the Penalty of Twenty Shillings, current Money, cause all his or her Negroes Houses to be searched once every fourteen Days at the least, for run-away Negroes, Clubs, wooden Swords, and other mischievous Weapons, and also for Cloaths, and other Goods not honestly come by; and what they suspect to be stolen they shall seize, and give Notice thereof to the Clerk or Constable of the Parish, within six Days after, who shall set up a short Notice of the same on the Posts of the Church-door; whereby the Loofer, declaring the Marks, or describing the Goods, may have the same again without Cost or Charges.

Negro Houses to be searched every 14 Days, and Goods not honestly come by to be taken from thence.

XVI. AND be it further Enacted, by the Authority aforesaid, That such Christians as shall apprehend and bring any run-away Negro unto the Provost-marshal of this Island, or his Deputy, or to the Gaol, shall deliver upon Oath an Account of the Name, and when and where he apprehended such fugitive Slave, and that he knew of no Ticket the Slave had, nor of his Owner; and the Keeper of the Gaol, at the Re-delivery of such Slave, shall take a Receipt of the Person to whom delivered, with a Description of the Slave delivered.

The Name of every Slave, and where apprehended to be delivered on Oath.

XVII. AND be it further Enacted, by the Authority aforesaid, That the Commanding Officer on this Island for the Time being, if he shall have Notice of the residence or hiding of any run-away Negroes, or other fugitive Slaves, shall and may raise and arm, of Dragoons, or Foot Militia, a sufficient Number of Men, to pursue and apprehend, or kill any such Negroes, or other Slaves: And if any Person of the Dragoons or Foot, being in Health, and able to travel, shall refuse to go in quest of such Run-aways, he shall forfeit Thirty Shillings current Money: And whoever shall apprehend or take any run away Slave, absconding in the Mountains of this Island, or in the Lands lying to Windward of *Frigate Bay*, or who hath been absent from his Master's Service two Months, or more; shall receive, as a Reward for taking and apprehending each and every such Negro, the Sum of Twenty eight Shillings; to be paid by the Owner of the said Negro, if delivered to him; or by the Marshal, if delivered at the Gaol.

Commanding Officer to raise the Militia to pursue Negroes.

Penalty on Persons refusing to go in pursuit of them.

XVIII. AND be it further Enacted, by the Authority aforesaid, That whatsoever Negro, or Slave, shall hear another Negro, or Slave, speaking any Words tending to Mutiny or Rebellion; or that shall have, or shall prepare any Guns, Powder, Ball, Swords, or war-like Instruments, other than what are allowed for watching, and shall discover the same to any Justice of the Peace; the said Justice, and one other next Justice, shall cause the Slave accused to be apprehended; and if they find the Accusation just, the said Slave shall be tried

Negroes discovering others preparing to rebel, to have 30. Reward on Conviction of the Parties.

by

1722.

Penalty on Negroes accusing others, and not proving their Accusation.

Penalty on Persons buying Goods of Slaves who have not a Ticket for that Purpose

Forfeitures how to be levied and how to be divided

Persons sued may plead the general Issue, and give his Act in Evidence

by two Justices of the Peace, in the Manner as Murthers and other Felonies are hereby before directed to be tried; and if the said Slave be found guilty, and condemned to Death, he shall be appraised in such Manner as, and at no greater Price, than is appointed and limited in and by the abovementioned Act; and the Negro, or Slave, giving such Information, shall be paid by the Treasurer, out of the Treasury, Three Pounds current Money: But if any Negro, or Slave, so accusing or informing against any other Negro, or Slave, shall not make good his Accusation, to the Satisfaction of the Persons who shall try the Negro, or Slave, so accused; then such Accuser shall have and receive such Punishment, not extending to Life or Member, as the said Justices shall think fit.

XIX. AND be it further Enacted, by the Authority aforesaid, That if any Person or Persons shall buy any Sugar, Rum, Molasses, Syrup, Cotton, Wine, or other Strong-liquors, Plate, wearing Apparel, or household Goods, from any Negro, or other Slave, except such Negro, or Slave, shall have a Ticket for that Purpose from his or her Master, Owner, Renter, or Overseer; such Buyer or Purchaser, being legally convicted of any such Crime, not exceeding twenty Shillings Value, shall suffer six Months Imprisonment; and for every such Crime exceeding twenty Shillings Value, shall be, and is hereby declared to be guilty of Felony, and shall suffer accordingly.

XX. AND it is further Enacted, by the Authority aforesaid, That the one Moiety of all the Penalties and Forfeitures imposed, laid, and arising by virtue of this Act, shall be paid to the Treasurer of this Island for the Time being, for the defraying the public contingent Charges of this Island; and the other Moiety thereof to the Informer; to be levied by Distress and Sale of the Goods and Chattels of every and any Person and Persons offending or acting contrary to this Act, and the true Meaning and Intent thereof, by Warrant under the Hand and Seal of any one Justice of the Peace of this Island; to be directed to the Provost-marshal, or his lawful Deputy; or to any Constable of the Island.

XXI. AND be it further Enacted, by the Authority aforesaid, That in every Action, Suit, Indictment, Information, or Prosecution; wherein or whereby any Person or Persons shall be sued, Indicted, prosecuted, or molested, for the doing of any Matter or Thing in the said Acts, or either of them, contained; it shall be lawful for all and every the said Persons, their Heirs, Executors, and Administrators, to plead the general Issue, and to give this Act in Evidence in any Court or Courts of Justice where the Matter shall be depending: And also, that the said Acts, and either of them, shall be taken and allowed in all Courts within this Island as public Acts; and all Judges, Justices, and Juries, are hereby required to take Notice thereof accordingly.

1722-23.

No. 53.

Repealed by Act No. 70. Passed in the Year 1727.

An Act for regulating Vestries; and for erecting into a Parish Part of the Quarter of this Island called Basseterre Quarter, by the Name of the Parish of St. George, Basseterre; and for repealing an Act of this Island, intituled, An Act for regulating the Vestries, passed in the Tenth Year of Her late Majesty's Reign; and for annexing other Parts of the said Quarters to the respective Parishes of St. Mary, Cayon, and Trinity, Palmeto Point.

No. 54.

An Act for enjoining all Vessels or Persons coming from Places infected with the Plague, Small-pox, or other contagious Distempers, to perform a due Quarentine; and to prevent as much as may be the Dangers with which this Island is at present threatened, by the Small-pox being already therein.

Preamble

FORASMUCH as several Parts of France are at present afflicted with a grievous Plague; which, unless due Care be taken, may, by Vessels directly from thence, or from the French Islands, bring a Contagion into this Island: And whereas this Island has many times suffered by the Small-pox, and other infectious Distempers, brought hither by Vessels coming from the Coast of Guinea, New England, and other infected Places: For preventing which Evil as much as in human Discretion may be, no Act of this Island having been yet made, to give a due Authority for so good an End; we, therefore, Your Majesty's most dutiful and loyal Subjects, the Governor in chief of these Your Majesty's Leeward Charribbee Islands in America, and the Council and Assembly of St. Christopher's, do pray Your Most Excellent

Excellent Majesty that it may be Enacted; and be it, and it is hereby Enacted, by the King's 1722-23. Most Excellent Majesty, by and with the Advice and Consent of the Governor in chief of the Leeward *Charribbee* Islands, and the Council and Assembly of this Island, That from and after the Date of this Act, no Vessel whatsoever, coming to this Island from any Country infected with the Small-pox, Plague, or any contagious Fever, shall permit any Person to come on Shore, or presume to land on this Island from on board the said Vessel any Goods or Merchandize whatsoever, until the Master or Commander of the said Vessel shall, if coming from any Country infected as aforesaid, have produced a Certificate, as hereafter expressed, or performed a due Quarentine, as hereafter directed: And all Masters or Commanders of Vessels, or other Persons coming from any Country infected as aforesaid, who shall presume to put, or suffer to be put, on Shore any Person or Goods in Contempt of this Act, having first Notice thereof, as hereafter directed; he shall suffer for such Crime six Months Imprisonment, and forfeit the Sum of One hundred Pounds of current Money of this Island; to be levied and applied as by this Act is hereafter directed.

Penalty on Masters of Ships coming from infected Places, landing Persons or Goods.

II. AND be it further Enacted, by the Authority aforesaid, That no Vessel be permitted to send any Boat with Goods or Persons on Shore, till they have been first hailed by the Gunner of the respective Fort or Battery where they arrive to whom they shall give a true Answer, whence they came; and if it shall so happen the said Vessel came from any infected Country, the said Gunner shall forbid their landing any Goods, or coming on Shore, but order them to return on board; which if they obstinately refuse, he shall oblige them so to do, by firing at them with small Arms, or from his Battery: And every Gunner neglecting to perform his Duty, shall for such Offence be removed from his Place as Gunner, and suffer six Months Imprisonment, without Bail or Mainprize; the said Commitment to be made by Warrant under the Hand and Seal of the Commander on this Island for the Time being, directed to the Deputy Provost-Marshal of this Island.

Gunner of any Fort may hinder such Persons landing.

Penalty on his Neglect of Duty.

III. AND be it further Enacted, by the Authority aforesaid, That, to the Intent no Vessel or Person coming to this Island may meet with any Let or Molestation, or be any ways hindered from landing Persons or Goods, but such only as come from Places infected, as aforesaid, the Commander in chief on this Island for the Time being is hereby required, from Time to Time, and at all Times, to give Directions in writing to the said Gunners, what Places and Countries he has Intelligence of being infected with such contagious Distempers.

Commander in Chief to give Notice to Gunners what Places he is informed are infected.

IV. AND be it further Enacted, by the Authority aforesaid, That, least any infectious Distempers, as aforesaid, be brought into this Island from any Place or Country, of which no Notice can have been afore had of contagious Distempers raging there, or by any Vessel actually having such Distemper on Board, the said Gunner shall, at hailing every Vessel, as aforesaid; enquire whether any Person on Board have any infectious Distemper, or come from any Place infected with any such Distemper; and on his giving them Notice of the Penalties mentioned in this Act (if by Falshood or Deceit they contravene nevertheless to the Meaning and Intent of this Act) then the Commander of such Vessel shall suffer as abovementioned.

If no such Information can be given, the Gunner to enquire of the Master of the Vessel, &c.

V. AND be it further Enacted, by the Authority aforesaid, that the Commander in Chief on this Island for the Time being, shall direct and appoint a Chirurgeon at each Town on this Island, or some Person of Credit, if no Chirurgeon live there, or within convenient Distance; to whom the Gunner abovementioned shall give immediate Notice of any Vessel being arrived, as aforesaid, from any infected Country, or from the Coast of *Guinea*; who shall immediately repair on Board such Vessel, and make strict Enquiry, whether any Person labouring actually under any infectious Distemper be on Board; in which Case he shall inform the said Vessel of the Meaning and Penalties of this Act, and enjoin their immediately departing this Island, to perform Quarentine; and on his coming on Shore, shall not presume to go into any Company till he have shifted all his Clothes; and shall then give the Gunner Notice, not to permit any Boat with Persons or Goods, on any Account whatsoever, to come on Shore; but by firing small Arms, or Guns from his Battery, shall oblige the said Vessel to sail immediately from this Island.

A Chirurgeon to be provided to search the Vessel.

To give Notice to Gunner not to permit Boats, &c. to come on Shore from infected Vessels.

VI. AND be it further Enacted, That where the said Chirurgeon or Person shall find such Vessel, so coming from *Guinea*, or any other infected Country, (Places afflicted with the Plague only excepted) on Board whereof no Person shall be labouring actually under any infectious Distemper, as aforesaid; he may, and is hereby required to give a Certificate under his Hand, certifying no such infected Person being on Board; upon which Certificate, and Notice thereof, on his coming on Shore to the Gunner, the said Vessel may be permitted to unlade, and the Persons on board to come on Shore.

Chirurgeon to give a Certificate to the Gunner if no infected Persons are on board

VII. AND be it Enacted, by the Authority aforesaid, That if any Person or Persons whatsoever shall presume to go on board any Ship or Vessel coming to this Island, before the Gunner shall have hailed such Ship or Vessel; and if come from any infected Place, or from the Coast of *Guinea*, before a Chirurgeon shall have searched such Ship or Vessel, and made

Penalty on Persons going on board before the Vessel is searched.

1722-23. his Report of the Health of the Persons on board; such Person and Persons shall suffer three Months Imprisonment, and forfeit and pay the Sum of Fifty Pounds current Money of this Island; to be levied and applied, as hereafter directed.

Chirurgion's
Fee.

VIII. AND be it further Enacted, That the Chirurgion, or Person as aforesaid, may for his Trouble of going on Board, and viewing the Vessel as aforesaid, before he give such Certificate, demand and receive of the Master or Commander of the said Vessel, a Sum not exceeding twenty eight Shillings; any Custom, Law, or Usage to the contrary in any wise notwithstanding.

Penalty on the
Chirurgion's
permitting any
Persons to come
ashore with him
from the Vessel;

IX. AND be it further Enacted, by the Authority aforesaid, That no Person whatsoever, who shall go in any Boat with any Chirurgion, or Person as aforesaid, shall presume to go on Board any such Ship or Vessel, under Penalty of one Month's Imprisonment, without Bail or Mainprize; to which such Offender shall be adjudged by any Justice of the Peace in this Island, upon Proof thereof made before him, by the Oath of one or more credible Witnesses: Nor shall the said Chirurgion, or any Person going to make such View, or the Boat's Crew which shall carry him on Board, permit any Person whatsoever, on any account whatsoever, to come on Shore from such Ship or Vessel in the said Boat with them, under Penalty of forfeiting the Sum of One hundred Pounds current Money: to be levied and applied as hereinafter directed.

and on Sailors,
&c. belonging to
any Boat, refus-
ing to go with
the Chirurgion
to the Ship.

X. AND be it further Enacted, by the Authority aforesaid, That any Gunner, or other Person or Persons, may, on Refusal of any Owner of any Boat or Cance, oblige and force the Sailors, or Persons belonging to the said Boat or Canoe, to go immediately with the Chirurgion, or Person aforesaid, on board such Vessel; which, if they obstinately refuse to do, he or they may charge the nearest Constable with the Custody of their Persons, who shall carry them to the nearest Magistrate, who having Proof by Oath of the said Gunner, or other Person or Persons, of such Refusal, is hereby required and authorized to commit them to the Gaol of this Island, there to remain for the Space of one Month, without Bail or Mainprize, by Warrant under his Hand and Seal, directed to the Deputy Provost-Marshal of this Island for the time being.

Penalty on Mar-
shal's Default.

XI. AND be it further Enacted, by the Authority aforesaid, That the said Deputy Provost-Marshal of this Island for the Time being, or any his Deputy, shall for every Refusal or Neglect of any Duty enjoined him by this Act, forfeit the Sum of Twenty Pounds current Money; to be levied and applied as hereafter expressed.

Chirurgion to
examine Ships
immediately up-
on Notice.

XII. AND be it further Enacted, by the Authority aforesaid, That least any Vessel coming to this Island meet with any unnecessary Delay, to prevent her trading as usual, the Chirurgion, or Person aforesaid, is hereby required, on Notice from the Gunner, as aforesaid, to repair immediately on board such Vessel, to view her, and those on board, and to do such Duties as are required by this Act, under Penalty of forfeiting the Sum of Twenty Pounds current Money; to be levied and applied, as hereafter directed, upon Proof of the said Person or Chirurgion's having made such Delay without just Cause or Reason, by the Oath of the said Gunner, and upon Complaint of the Master or Commander of the said Vessel; which Oath and Complaint shall be made within forty eight Hours at farthest after such Refusal or Neglect, before the Commander on this Island for the Time being.

Penalty for not
examining, &c.

Complaint to be
made on Oath
within 48 Hours.

Commander
may oblige Chi-
rurgions to per-
form the Duties
of this Act.

XIII. AND be it further Enacted, by the Authority aforesaid, That it shall and may be lawful for the Commander on this Island for the Time being, to oblige any Chirurgion, living in any Town, or within any convenient Distance of the same, to perform the Duties enjoined by this Act, on Penalty, in case of Refusal, of being by this Act rendered incapable of practising as a Chirurgion, Apothecary, or Doctor in this Island; and on Penalty of One hundred Pounds, if he be proved guilty of such Refusal or Neglect, and do nevertheless presume to practise, as aforesaid.

Penalty on Chi-
rurgion's Refu-
sal.

Gunner to ob-
lige Vessels
from infected
Places to per-
form Quaren-
tine;

XIV. AND be it further Enacted, by the Authority aforesaid, That on any Vessel's coming from any Place infected with the Plague, or other such Distemper, as aforesaid; the Gunner, upon his hailing them, and learning by their Answer they come from such Places so infected, shall give them Notice not to permit any Person whatsoever to come on Shore, nor any Person whatsoever to go on Board, until such Ship or Vessel shall have performed the Quarentine hereinafter directed, and until such Certificate as is hereinafter directed shall be given, of the Health of the Persons on Board: And it shall and may be lawful for the said Gunner, or any other Person, if he or they can by no other Means prevent them, to kill and put to Death with any Weapon any Person so coming on Shore, notwithstanding such Notice from the Gunner, as aforesaid, from on board any Vessel coming from any Country so infected, or on Board of which the Plague, or any of the Distempers aforesaid may actually be; nor shall such Vessel remain at Anchor in any Road of this Island, but shall immediately be obliged to depart thence to the Place hereinafter appointed for the performing Quarentine, by firing small Arms or great Guns at them: And no Person whatsoever, that in Contravention of this Act shall presume, notwithstanding such Notice, to go on Board any Vessel coming from any Country infected as aforesaid, or having the Plague

and may kill
Persons coming
from on board.

Persons going on
board not to be

Plague, or any of the said Distempers on board them, shall be permitted to return on Shore, 1722-23. but deemed Persons belonging to the said Vessel; and on their endeavouring so to do, may be killed or destroyed, as aforesaid.

permitted to come on shore.

XV. AND be it further Enacted, by the Authority aforesaid, That every Vessel coming to this Island from any Place, or having on Board any Persons, infected with the Plague, Small-pox, or any contagious Fever, shall immediately, upon Notice thereof given, depart from the Port or Place where she may happen to arrive; and in case the Persons on board such Vessel shall refuse or delay so to do; the Gunner, or other Person commanding in any the Forts or Batteries of this Island, is hereby required and enjoined by force to compel them so to do; but such Ship or Vessel so departing, shall and may nevertheless, if the Master, or other Person on Board thereof think fit; lie at Anchor at a certain Place in this Island, called *French Fig-tree Fort*, and at the Distance of one Mile at the least from the Shore, but at no other Bay or Place within the same; and after the same Vessel shall have continued there by the Space of forty Days; if the said Vessel hath come from any Place, or has or hath had any Person on Board infected with the Plague; or by the Space of thirty Days; if the said Vessel hath come from any Place, or has or hath had any Person on Board infected with the Small-pox, or any contagious Fever; it shall and may be lawful for any Person on Board the said Vessel to come on Shore in this Island, and to bring the said Vessel into any Port, Road, or Bay in this Island, and there unload the same, and trade, as they might have done in case they had not come from any such infected Place; any thing hereinbefore contained to the contrary thereof in any wise notwithstanding: Provided the Chirurgeon, or other Person so for that Purpose to be appointed, as aforesaid, shall give a Certificate under his Hand, and attest the same upon Oath, before any Magistrate in this Island, That no Person belonging to, or being in such Vessel, then is, as he knows or believes, infected, or sick of any of the Distempers aforesaid; and that the Bedding, wearing Apparel, and other Clothes used by any Person, who hath laboured under any of the said Distempers on Board such Vessel, be first burned or destroyed.

Vessels to retire from the Port where they arrive, on Notice given.

Limitation of Distance and Time.

Vessels not to be discharged before Certificate and Oath of the Chirurgeon first made.

XVI. AND be it further Enacted, by the Authority aforesaid, That until a certain Account do come of the Plague's being entirely ceased in the Kingdom of *France*, no Vessel whatsoever of any Nation coming from *Martinique*, *Guadaloupe*, or any other *French* Settlement, shall be permitted to lie at Anchor in any Road in this Island; nor any Person to come on Shore from on Board them, until the Person, or Chirurgeon aforesaid, shall have viewed and certified, as aforesaid; and the Gunners respectively are to give due Notice herein, as afore directed.

Caution against French Vessels.

XVII. AND be it further Enacted, by the Authority aforesaid, That in case any Vessel coming from Places infected with Small-pox, or other contagious Distempers, be in great Distress, for want of Wood, Water, or Provisions, except such as come from Places infected with the Plague, it shall and may be lawful for any of His Majesty's Subjects to carry sufficient Supplies on Board them: Provided nevertheless, That they do not presume, under the Penalties mentioned in this Act, to return on Shore till they have performed on board the said Vessel the Quarentine enjoined by this Act to be performed by the Persons belonging to the said Vessel.

Provision for Ships in Distress.

XVIII. AND be it further Enacted, by the Authority aforesaid, That all Fines and Forfeitures directed to be levied by this Act, shall be by Warrant under the Hand and Seal of the Commander of this Island for the Time being, directed to the Deputy Provost-Marshal of this Island for the Time being, who shall levy the same within three Days after the Date of such Warrant, on the Goods and Chattels of such Offender, if he refuse on Demand, to pay the same; and for want of such Goods, he shall arrest and attach the Person of the said Offender, and him in safe Custody keep, till the said Fine and Forfeiture, with the usual Fees to him the said Deputy Provost-Marshal, be paid and discharged; and where such Goods and Chattels shall be seized, they shall be sold at public Outcry in the nearest Town, on due Notice being first given thereof to the Offender, between the Hours of Nine and Twelve in the Forenoon; rendering the Overplus, if any be, to the Owner, after such Fines, and the usual Fees, be discharged: And all Fines and Forfeitures so levied, as aforesaid, shall be paid into the Hands of the Treasurer of this Island for the Time being; to be applied as, from Time to Time, shall be directed by the Commander in chief on this Island for the Time being, with the Advice and Consent of the Council and Assembly of this Island, towards erecting, supporting, and maintaining an Hospital or Infirmary in this Island.

Forfeitures how to be levied and applied.

XIX. AND whereas divers Persons in the Quarter of *Basseterre* in this Island, are already afflicted with the Small-pox: To prevent, therefore, as much as may be the said Distemper from spreading further, be it, and it is hereby further Enacted, by the Authority aforesaid, That a House or Houses be immediately erected at the *Bluff Point*, and any other Place in the said Quarter, if the commissioners to be appointed, as hereinafter directed, or any Three of them, shall see fit, sufficient to serve as an Hospital for the receiving of all such

Houses to be erected for the reception of infected Slaves;

1722-23. such Negroes and Slaves, as now, or at any Time hereafter, may have the said Distemper, or any other contagious Distemper: And that if any Negro, or other Slave, within the said Quarter, shall hereafter be taken with the said Distempers, or any of them, the Owner or Master of such Slave, or, in his Absence, whoever else shall have the Care and Command of such Slave, shall, within Four Hours after Notice of any Slave's having the same, convey, or cause the same Slave to be conveyed to the said Houses or Hospitals, or one of them: And in case the Small-pox, or any contagious Distemper shall break out in any other Quarter of this Island, it shall be in the Power of the Commissioners to be appointed, as hereinafter directed; or any Three of them, to erect, or cause to be erected, any House or Houses in the same Quarter, for the receiving such Negro or Slave, or any other Slaves that may then after be visited with such Distemper within the said Quarter.

and supplied at
the Public Ex-
pence.

Penalty on Doc-
tors or Masters
concealing the
Distemper.

XX. AND it is hereby further Enacted, by the Authority aforesaid, That a sufficient Number of Persons shall be provided and hired by such Commissioners, or any Three of them, to take Care of, and administer Physic, and other Necessaries for such Slaves, as shall be sent thither: And that the Charge and Expence thereof, as well as of the building such Hospital, as aforesaid, and providing Guards, as is hereinafter mentioned, shall be defrayed out of the Public Stock, or Monies of this Island: And the Commander in Chief of this Island for the Time being, may, and is hereby impowered to order the Treasurer of this Island for the Time being (who is hereby authorized and impowered so to do) to pay any Sum or Sums of Money which he shall see necessary for the Purposes aforesaid: And in case any Master of any Slave, or such Person aforesaid, shall conceal such Distemper, or neglect to send his Slave having such Distemper as aforesaid, to such Hospital so provided, or to be provided as aforesaid, by the Space of Four Hours after he shall have Knowledge thereof; or in Case any Person administering Physick, as Doctor in this Island, where he knows or believes any white Person or Slave hath such Distemper, shall not give immediate Notice thereof to the Commissioners beforementioned, or one of them in that Quarter where the same shall be; such Doctor or Master, or such Person as aforesaid, being thereof convicted before any Magistrate, upon the Oath of one or more credible Witnesses, or other sufficient Testimony, shall forfeit the Sum of One hundred Pounds current Money; to be levied on his Goods and Chattels, and to be applied in like Manner as the other Forfeitures beforementioned.

Commander to
appoint Com-
missioners to ex-
ecute the Act;

XXI. AND be it, and it is hereby Enacted, by the Authority aforesaid, That the Commander in Chief of this Island for the Time being, shall have full Power and Authority to nominate and appoint Four Persons in each Quarter of this Island, to be Commissioners for putting this Act in Execution, and the same Commissioners at any Time to displace, and to appoint others in their Stead; which said Commissioners, or any Two of them, are hereby impowered and authorized to place Guards, as well over such Hospitals, as over the Houses of any white Persons where the said Distempers, or any of them, may happen to be, to prevent the Access of any Persons (such Person or Persons as are necessary to attend the Sick, only excepted) to such Houses, and to hinder the Sick, or any other Persons residing in the said Houses from going abroad, till the Commissioners aforesaid, or any Two of them, shall be satisfied the Infection is over, and shall give them Leave so to do.

who are to visit
suspected Places.

XXII. AND it is hereby Enacted, by the Authority aforesaid, That it shall and may be lawful for the said Commissioners, or any Two of them, in the respective Quarters where they shall be appointed, to visit all such Plantations and Houses there, as they shall be informed, or shall suspect, any such Distemper to be.

Commander to
appoint a Guard
over infected
Houses.

XXIII. AND it is hereby further Enacted, by the Authority aforesaid, That the Commander in Chief of this Island for the Time being, shall, and hereby hath full Power and Authority to hire, and in case a sufficient Number of Persons cannot be hired, to impress any Person or Persons he shall think fit, who have already had the Small-pox, to guard such Houses, as aforesaid; and to order such a Number of Persons for the Guard of such Houses as the Commissioners aforesaid, or any Two of them, shall require: And in case any Person or Persons shall presume to go abroad from any House after any Guard is placed there, further than the Plantation to which such House shall belong, unless by the Permission from the Commissioners aforesaid, or Two of them, first had and obtained; such Person or Persons, upon Proof thereof made before the Commander in Chief of this Island for the Time being, shall be by him committed to the common Gaol of this Island, there to remain without Bail or Mainprize for the Space of One Year.

Penalty on Per-
sons going from
Houses provided
for infected Per-
sons without Per-
mission.

Clause of Indem-
nity, for Things
done before mak-
ing this Act.

XXIV. AND forasmuch as the Honourable Lieutenant General *WILLIAM MATHEW* hath been desired by the Council and Assembly of this Island to use such Means as he should think fit, before any Act could for that Purpose be made, to prevent the spreading of the Small-pox in this Island: It is hereby further Enacted, by the Authority aforesaid, That the said *WILLIAM MATHEW*, his Heirs, Executors, and Administrators, or any other Person acting by his Order therein, and every of them, shall be, and are hereby saved harmless and indemnified, for any Thing which he or they shall have done for the Purposes aforesaid.

XXV.

XXV. AND that the Commander in Chief of this Island for the Time being, where he 1722-23. hath any Cause to suspect Danger from any Goods supposed to be infected, shall and may order the said Goods to be burned; and to order the Treasurer of this Island for the Time being (who is hereby authorized and impowered so to do) to pay for the same whatsoever ^{Suspected Goods to be burnt, and Treasurers to pay the Value.} such Goods shall be valued at.

XXVI. AND be it further Enacted, by the Authority aforesaid, That where any Person or Persons shall be sued, impleaded, or prosecuted for Performance of any Duty enjoined them by this Act; the said Person or Persons shall be permitted by any Judge, Justice, or Magistrate within this Island, to plead this Act in Bar of any such Action or Suit; the said Judge, Justice, or Magistrate is hereby required to admit such Plea, and thereon to discharge the Person impleaded or prosecuted as aforesaid. ^{Persons sued may plead this Act.}

No. 55.

An Act for the Relief and Release of John Sedgwick, and others, poor distressed Prisoners for Debt in the Island of St. Christopher's. ^{Private.}

No. 56.

17-3-

An Act for the continuing and carrying on the Works of the Fortifications of Brimstone-hill and Charles Fort, and other the Fortifications of this Island, for one Year longer; and also for continuing Part of a certain Act of this Island, intituled, An Act for employing Negroes on the Fortifications of this Island; and for rendering more effectual, and explaining an Act for raising a Tax by the Poll on all Slaves in this Island; and also for raising Five hundred Pounds upon the Inland Trade of the same, for the Time in this present Act mentioned. ^{Expired.}

No. 57.

An Act to prevent the casting or unlading any Ballast or Rubbish in the Havens, Roads, or Creeks of this Island.

BE it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Captain General and Governor in Chief of all His Majesty's Leeward *Char-ribbee* Islands in *America*, and the Council and Assembly of the Island of St. *Christopher's*, and by the Authority thereof, That no Master or Masters, Commander or Commanders, or other Person having the Charge of any Ship, Vessel, or Boat whatsoever, or any other Person or Persons, do, from and after the Date of this Act, cast or unlade out of any Ship, Vessel, or Boat, being within any Port, Haven, Road, or Creek of this Island, any manner of Stones, Ballast, Rubbish, Gravel, or Filth, but only upon the Land above the full Sea Mark, upon Pain, that every Person or Persons so offending against this Act, shall forfeit and pay for every Time he or they shall so offend, the Sum of Twenty Pounds current Money of this Island; the one Moiety thereof to His said Majesty, His Heirs and Successors, to be paid into the Hands of the Treasurer of this Island for the Time being, and to be employed for and towards the maintaining and keeping in Repair the Fortifications and Garrisons thereof; and the other Moiety to such Person or Persons as shall inform against any one offending against this Act. ^{Penalty on Persons casting Ballast into the Sea.}

II. AND be it further Enacted, by the Authority aforesaid, That upon Proof made before any of His Majesty's Council of this Island, or any Judge of the Court of King's Bench and Common Pleas thereof, by the Oath of One credible Witness, or Confession of the Party or Parties offending against this Act, of the casting or unlading of any Stones, Ballast, Rubbish, Gravel, or Filth, in any Port, Haven, Road, or Creek, of this Island, otherwise than as before in this Act is directed; the said Councillor or Judge shall, by Warrant under his Hand and Seal, command the Provost Marshal of this Island for the Time being, or his lawful Deputy, to levy of the Goods and Chattels of the Person and Persons so offending, the said Sum of Twenty Pounds; And if such Offender or Offenders shall have no Goods and Chattels, whereupon or whereof to levy the said Penalties; then such Offender and Offenders shall, by Warrant under the Hand and Seal of the Councillor, or Judge before ^{Penalty how to be levied.}

1723.

whom such Proof or Confession shall be made as aforesaid, be committed to the common Gaol of this Island, there to remain until such Time as such Offender and Offenders shall have paid and discharged the Penalties so by him or them incurred by virtue of this Act.

No. 58.

An Act to prevent the Abuses committed in the Importation of Wheat Flour, and bottled Liquors into the Island of St. Christopher's.

Preamble.

Flour to be sold
only by Weight,
on Penalty of
300*l*.

Bottled Liquors
how to be im-
posed.

Penalties how to
be levied.

Justice of Peace
may cause Flour
and Bottled Li-
quors to be seiz-
ed and sold.

May enter Ware-
houses, &c. by
Day-light.

Penalties how
disposed of.

WHEREAS very great Abuses have constantly been committed in the Importation of Wheat Flour, and bottled Liquors into the said Island of St. Christopher's; which Mischief is likely to increase, by People's still lessening their Casks and bottles which contain the Flour and Liquors, unless some Remedy be applied to prevent the same: Be it therefore Enacted, by the King's Most Excellent Majesty, by and with the Advice and Consent of the Captain General and Governor in Chief of all His Majesty's Leeward *Charribbee* Islands in *America*; and the Council and Assembly of the said Island of St. Christopher's, and by the Authority thereof, That no Person or Persons whatsoever shall, after the Date of this Act, vend, utter, sell, or buy in the said Island any Flour used in the making of Bread, otherwise than by Weight: And if any Person or Persons shall presume to sell any such Flour by the Barrel or by the Cask, or otherwise than by Weight; all the Flour so sold shall be forfeited and lost; and as well the Party and Parties selling, as the Person and Persons buying such Flour otherwise than by Weight, shall each and every of them forfeit and pay the Sum of Three hundred Pounds current Money; for every Barrel or Cask of such Flour, as shall be sold or bought contrary to the Directions of this Act.

II. AND be it further Enacted, by the Authority aforesaid, That all Beer, Ale, Cyder, and Mum, and all *Canary* and *Rhenish* Wines, and all other Wines and strong Liquors whatsoever, which from and after the Twentieth Day of *January* next shall be imported into this Island in Bottles, shall be in manner following; That is to say, All Wine and Mum, in full Quart or Pint Bottles, according to Wine Measure; and all other of the said Liquors in full Quart or Pint Bottles according to the Measure commonly called *Winchester* Measure; and all and every of the aforesaid Liquors, which, after the Time aforesaid, shall be imported into this Island in any Bottles other than the aforesaid Measure, shall be forfeited and lost: And if any Person or Persons shall, after the Time aforesaid, import into this Island, or therein vend, utter, or sell, any of the aforesaid Liquors in any other Bottles less than of the Measure aforesaid, he or they shall forfeit for every Bottle which he or they shall so import or sell, Eighteen Pence for every Quart, and Nine Pence for every Pint Bottle, current Money of the said Island; the one Moiety of all which said Forfeitures and Penalties, in this Act beforementioned, shall be to the Use of the Poor of the Parish or Place where such Offence shall be committed; and the other Moiety thereof to the Informer.

III. AND be it further Enacted, by the Authority aforesaid, That where any Person or Persons shall be convicted of having offended against this Act in any of the Matters aforesaid, by the Oath of one sufficient Witness before any Justice of the Peace of this Island (who by virtue of this Act shall have Power to administer an Oath in that Behalf) the said Justice shall, by Warrant under his Hand and Seal, cause the Constable or Constables of the Parish or Place where any of the aforesaid Offences shall be committed, to levy of the Goods and Chattels of such Offender or Offenders the several Penalties and Forfeitures which such Person or Persons shall incur or become liable unto by virtue of this Act, by way of Distress and Sale of the said Offender's said Goods and Chattels; rendering the Overplus, if any shall be, to the Party or Parties so offending: And the said Justice of the Peace to whom such Information shall be given, and before whom Proof shall be made of any such Flour being sold or bought, or of any of the aforesaid Liquors being imported or sold contrary to the true Intent and Meaning of this Act; shall, by Warrant under his Hand and Seal, cause such Flour and Liquors, and every of them, to be seized by the Constable or Constables of the Parish or Place where the same shall be: And the said Constables, and every of them, are and is hereby impowered and authorized, having a Warrant for that Purpose, by Day-light, to enter any House, Warehouse, Shop, or Place where they or he shall suspect, or be informed such Goods shall or may be concealed; and the said Goods being found, to seize and carry away; and the same Goods, and every of them, to sell at public Sale or Outcry to the best Bidder, within Twenty-four Hours after such Seizures shall be made.

IV. AND be it further Enacted, by the Authority aforesaid, That the Money arising by such Sale, and all other the Forfeitures and Penalties arising by this Act; shall, by the aforesaid Justice by whom such Warrant or Warrants shall be granted, be distributed according to the aforesaid Directions of this Act, all reasonable Charges of Seizure and Sale, and other Charges and Expences incident thereunto, being first deducted and paid out of each Forfeiture and Penalty.

V.

V. AND be it further Enacted, by the Authority aforesaid, That no Justice or Justices of the Peace, Constable, or other Person or Persons authorized by this Act for the due Execution thereof in any Point, shall be sued, impleaded, or otherwise impeached for doing or executing their said Offices respectively: And if any Suit or Suits hereafter shall be commenced against them, any of them, or any of their Assistants; touching or concerning the Premises; that then it shall be lawful for them, and every or any of them, so sued or troubled in any Court whatsoever, to plead the general Issue, and to give this Act, or any other special Matter in Evidence: And in case, by or upon this Act, they, or any of them shall be found Not Guilty, or the Plaintiff or Plaintiffs be nonsuited, the Defendant or Defendants shall recover Treble Costs against the Plaintiff or Plaintiffs for his or their unjust Vexation.

1723.

Persons sued,
may plead the
General Issue.

Treble Costs

No. 59.

1724.

Vide No. 235.

*An Act for the establishing a Court of King's Bench and Common Pleas, and for the better Advancement of Justice in the Island of St. Christopher's; and for settling certain Fees; and repealing a former Act of the said Island, intituled, An Act for establishing of Courts, and settling due Methods for the Administration of Justice. **

FORASMUCH as nothing can tend more to the Encouragement of Trade, or more effectually promote the Reputation and Prosperity of the said Island, than the establishing of Courts, wherein Justice may be frequently and duly administered; and for that a former Act, made at the Town of Old Road of the said Island the Twenty-fourth Day of November, in the Tenth Year of the Reign of Her late Majesty Queen Anne, intituled, *An Act for establishing of Courts and settling due Methods for the Administration of Justice*; has been found defective for that End in several Particulars: For remedying whereof, and for the easier, speedier, and better Advancement of Justice, and the reforming and regulating the Practice of the Law as much as may be in the said Island; We, His Majesty's most dutiful and loyal Subjects, the Governor in Chief of all His Majesty's Leeward Charribbee Islands in America, and the Council and Assembly of the said Island of St. Christopher's, do most humbly pray His Most Excellent Majesty that it may be Enacted; and be it, and it is hereby Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the said Governor in Chief, and the said Council and Assembly, and by the Authority thereof, That in the said Island of St. Christopher's shall hereafter be held a Court of King's Bench and Common Pleas, which shall consist of a Chief Justice, and Four other Justices Assistants, to be from time to time appointed by the Governor or Commander in Chief of the said Leeward Charribbee Islands in America; which Justices shall be, and they are hereby authorized to hear, try, and determine in the said Court, according to the Laws and Usage of the Realm of Great Britain, and the Laws and Usage of the said Island, as well all Actions, Suits, and Prosecutions at Law as are now depending in the present Court of King's Bench and Common Pleas of the said Island, as those which hereafter shall be commenced or brought in the Court to be established by this Act.

II. AND be it further Enacted, by the Authority aforesaid, That the said Justices shall, before they enter upon the Execution of their said Offices, respectively take the Oaths of Allegiance, Supremacy, and Abjuration, and make and subscribe the Declaration mentioned in an Act of Parliament made in the Thirtieth Year of the Reign of the late King CHARLES the Second, together with the following Oath; viz.

I A. B. do swear upon the Holy Evangelists, That I will not delay nor deny Justice to any Person; but with my utmost Diligence will execute and perform the Office of Chief Justice, or Justice Assistant; and to the best of my Skill will give Judgment in all Matters by me to be determined, without Prejudice, Interest, or Affection.

So help me God.

Which Oaths shall be administered to the Chief Justice in His Majesty's Council of this Island, and to all or any of the Justices Assistants, either in Council, or by the Chief Justice in the said Court.

III. AND it is hereby Declared and Enacted, That they the said Justices, after having so qualified themselves as aforesaid, shall have as full and ample Power, Authority, and Jurisdiction in all Things within the said Island, as the Judges of His said Majesty's Courts of King's Bench and Common Pleas at Westminster have, or can respectively have or exercise within the said Realm of Great Britain; subject nevertheless to such Jurisdiction, Power, and Authority, as His said Majesty's said Court of King's Bench at Westminster hath usually had

Justices to have
the same Authority
as in Great
Britain;subject to the
Authority of the
King's Bench in
Great-Britain.

1724.

Times and Place
of holding CourtsBy Act No. 75.
passed in 1723,
Courts are to be
held in Basseterre.General Issues
may be tried by
two Justices, &c.Actions to be en-
tered 12 Days
before the Court,
&c.Form of a Writ
of Summons.Summons how
to be deemed ef-
fectual, in Case
the Defendant
conceal himself,
or be absent from
the Island.Effects of Persons
absent liable to
be attached.Proviso.
Agent of the ab-
sent Person giv-
ing Security to
deliver back
Goods attached;Marshal shall de-
liver back the
Goods attached.Security to be
given before At-
tachment issues.

had and exercised over all other Courts of Law or Justice within His said Majesty's Kingdoms and Dominions, and the Proceedings and Judgments thereof.

IV. AND be it hereby further Enacted, by the Authority aforesaid, That the said Court shall for the future be held at the said Town of the *Old Road* in the said Island, on the Second *Tuesdays* of the Months of *March, April, May, June, July, and August* in every Year; and shall and may be continued or adjourned by the said Justices, or of any Two of them, at their Discretions, so as such Adjournment be not made for any longer Time than Fourteen Days from the Time of such Adjournment.

V. AND be it hereby further Enacted, by the Authority aforesaid, That any Two Justices of the said Court may hear and try all general Issues; but that no Judgment shall be given on any Special Plea, Demurrer, or Special Verdict, or on any General Verdict, where any Motion shall be made in Arrest of Judgment, or other Matter of Law shall arise, but in the Presence of Three of the said Justices at the least; and any Judgment otherwise given, shall be, *ipso facto*, void.

VI. AND be it hereby further Enacted, That all Actions to be brought or commenced in the said Court, shall be entered, and Declarations thereupon filed in the Secretary's Office Twelve Days at the least before the Sitting of each Court; and that Copies of all Declarations, and also all Writs of Summons, shall be served on the Parties Defendants Six Days exclusive of the Court Day; which said Writs of Summons shall be after the Manner following; viz.

St. Christopher's,

G E O R G E, by the Grace of God, of Great-Britain, France, and Ireland, King, Defender of the Faith, &c. To the Provost Marshal of our said Island, or his lawful Deputy, greeting.

WE command you to summon *A. B.* to be and appear at Our next Court of King's Bench and Common Pleas, to be held for this Island the _____ Day of _____ at the Town of *Old Road*, then and there to answer *C. D.* in an Action of _____ Hereof let him not fail, at his Peril. Witness *E. F.* Our Chief Justice of Our said Court, the _____ Day of _____ in the _____ Year of Our Reign.

And in case any Defendant or Defendants, in any Action or Actions which shall be brought or commenced against him or them, shall secrete and conceal him or themselves, so as the Provost Marshal, or his Deputy, or other Person summoning cannot find such Defendant or Defendants; or if such Defendant or Defendants shall, at the Time of the bringing or commencing of any Action or Suit against him or them, happen to be absent from the said Island; then, in either of the said Cases, one Summons, and a Copy of the Declaration being left at the last usual Place of Abode, or upon the Freehold of such Defendant or Defendants, and another Summons nailed up at the Court-House Door, shall be deemed and taken as good and effectual, as a Personal Service and Delivery of such Summons and Declaration upon or to such Defendant or Defendants.

VII. AND be it further Enacted, by the Authority aforesaid, That all and singular the Goods and Effects of Persons absent from the said Island, against whom Actions shall be brought or commenced in the said Court, in whose Hands soever such Goods or Effects shall be found in the aforesaid Island; shall upon the Request of the Plaintiff or Plaintiffs in such Action, be by Writ attached by, and taken into the Hands of, the Provost-Marshal, or his lawful Deputy, as a Pledge or Surety to answer the just Demands of such Plaintiff or Plaintiffs, until the Trial of such Action or Actions, and that Judgment or Judgments shall be given therein.

VIII. PROVIDED nevertheless, That if any Person or Persons acting as an Agent or Agents for such absent Person or Persons, shall give unto the Provost-Marshal, or his Deputy, sufficient Surety to deliver the said Goods or Effects back again to the said Marshal, or his Deputy, to answer the Judgment or Judgments to be obtained by such Plaintiff or Plaintiffs; then the said Marshal, or his Deputy, shall deliver such Goods and Effects so attached unto the Person or Persons so giving him such Security, to be by him or them kept for and during the Time aforesaid.

IX. PROVIDED likewise, and it is hereby further Enacted, That before any such Writ shall be granted to attach any Goods or Chattels whatsoever, the Plaintiff or Plaintiffs in such Action or Suit shall give unto the Judge who shall award such Writ, sufficient Security (and which shall be taken in the Name of such Defendant) to make good unto such Defendant all and singular the Damages and Costs which he shall sustain, or be put unto by Reason or Means of such Attachment, or of the Action to be brought or commenced against such Defendant, whereon the same shall be grounded, in case Judgment shall be given against the Plaintiff or Plaintiffs, or that the Plaintiff or Plaintiffs be nonsuited, or that such Action

Action be discontinued; or in case the Defendant, whose Goods or Chattels shall be so attached, his Executors or Administrators do, within twelve Months next after Judgment shall be given against him, by Writ of Error, or otherwise, reverse or set aside such Judgment, or prove to the Satisfaction of the Court, that he owes the Plaintiff or Plaintiffs nothing at the Time of granting such Attachment.

X. AND be it further Enacted, by the Authority aforesaid, That all Trials of Actions or Suits in the said Court, shall be at the second Court next after the bringing or commencing of such Actions or Suits; and that Judgment shall then immediately be given upon every Verdict found in the said Court, unless the Party against whom such Judgment is to be given, shall, at the same Court, shew sufficient Cause to arrest or stay the same: And if any Defendant or Defendants shall make Default at the second Court in any Action for Debt, or Contract made; or Duty arising, or for Goods or other Things sold, or for Promise made; the Court shall take the Evidence, and Judgment shall be given against him thereupon, as by Default; but if the Defendant be absent from the said Island, then no Execution to issue till the Court following; in which Time the Defendant may come, and alledge Payment of the Debt, Duty, or Demand, or that he was surprized; and if the Judges find the Allegations true, they may reverse the said Judgment; and admit the Defendant to plead; and, at his own Costs and Charges, try the Issue by a Jury; but if such Allegations appear not true, then Execution is to issue immediately: And that in all Judgments by Default, upon the Plaintiff's proving his Cause of Action to the Court by lawful Evidence, the Court shall adjust the Debt and Damages; which shall be as effectual, as if a Writ of Enquiry had been executed thereon: Provided, That if such Defendant be a Minor, *Non compos mentis*, or absent from this Government; such Persons, after their said respective Disabilities removed, may, by themselves or their Attornies, have their several Remedies for what they wrongfully lost by the said Judgment; any Law or Custom to the contrary notwithstanding.

1724.

Actions to be tried at the Second Court after commencing. Judgment to be given immediately on Verdict unless Cause is shewn against it at the same Court.

Judgment by Default. Execution not to issue against Defendants absent from the Island till the Court after Judgment is obtained; which may be reversed if Defendants shew sufficient Cause. Court to adjust Debt & Damages in Judgment by Default. Infants, &c. remedied after Disabilities removed.

XI. AND be it hereby likewise Enacted, That Special Pleas and Demurrers to Actions, Writs, or Declarations, shall be filed, and Copies delivered to the other Side fourteen Days before the second Court-day, otherwise the Defendant shall be obliged to plead the general Issue; and the Plaintiff shall file and deliver, as above, his Demurrer or Replication, or other Matter by him to be pleaded, eight Days before the Court-day; otherwise the Defendant shall have Day till the third Court: And that upon a Joinder in Demurrer, the Justices shall appoint a Day, not exceeding fourteen Days, to hear it argued; and, upon reasonable Cause, may adjourn any Plea to the next Court, but no longer.

Special Pleas and Demurrers to be filed 14 Days before Second Court.

Demurrers and Replications 8 Days.

Judges to appoint a Day for arguing Demurrers.

XII. AND be it further Enacted, by the Authority aforesaid, That all Declarations and Pleadings, and also all Verdicts found, and all Judgments given in Court (the same Verdicts and Judgments being first recorded in the Court Book) shall, in exact and due Order, be fairly entered, in Words at length, in a good bound Book, to be by the Secretary for that Purpose provided, and to be kept in his Office in the Nature of Records; for which the said Secretary shall be paid by the Party obtaining Judgment, who is to be allowed the same in his Costs: And if the Secretary shall neglect the providing such a Book, or shall not make such due and regular Entries of all the Pleadings in each Action brought and commenced in the said Court, in Manner aforesaid, he shall forfeit the Sum of Ten Pounds current Money for every Default.

All Declarations &c. to be recorded in the Secretary's Office.

Penalty on Secretary not recording Pleadings, &c.

XIII. AND be it further Enacted, That immediately after all Judgments (except those against absent Persons by Default as aforesaid) the Chief Justice, or, in his Absence or Sickness, the next senior Justice, and after him, the next Justice, and so to all in Commission successively; shall, at the Request of the Party obtaining Judgment, sign and seal a Writ of Execution of such Judgment; which said Execution is to be after the Manner following; *viz:*

Chief Justice to sign a Writ of Execution.

St. Christopher's, ff.

Form of such Writ.

GEORGE, by the Grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, &c. To the Provost-Marshal of Our Island aforesaid, or his lawful Deputy, greeting.

WHEREAS, at Our Court of King's-Bench and Common-Pleas, held at the Town of Old Road of the aforesaid Island, Judgment was obtained against

at the Suit of _____ for _____ These are therefore to command you to levy of the Goods and Chattels, Lands and Tenements, of the said _____ sufficient to satisfy the said Debt; and the Sum of _____ for Costs of Suit; that is to say, First on Tobacco, Cotton, Ginger, Indigo, Sugar, or any other Goods or Merchandize of the Growth and Manufacture of this Island, or other Merchandizes; and for want of such Goods and Chattels, to levy the said Debt and Costs upon the Household Goods and Furniture of the said _____'s House; and

M

1724

and for want of such, to levy the said Debt and Costs upon the Cattle, Horses, Asses, Mules, and other Plantation Utensils of the said ; and for want of such, you are to levy the same on the said 's Slaves; and for want of such Slaves, you are to levy the same upon the said 's Lands and Tenements: All which Levies, and the Sales thereof, you shall make by public Sale or Outcry, according to the Tenor of an Act of the said Island in that Behalf made and provided; and finding no such Goods and Chattels, Lands, or Tenements, then you are hereby commanded to take the Body of the said and him in safe Custody to keep, until the said Debt and Costs shall be satisfied: And have you this Writ duly executed before Our Justices, at Our Court of King's-Bench and Common-Pleas, to be held for this Island at the Town of Old Road aforesaid, on the Day of now next coming.

Witness

Day of

in the

Chief Justice of Our said Court, this Year of Our Reign.

Penalty on Provost-Marshal's Default in levying Executions.

Party giving Security, Marshal shall deliver up Goods taken in Execution.

Venditioni exponas to issue, if Debt is not settled before Day for Sale.

If Goods sold are not sufficient to satisfy Debt, &c. Marshal to make further Levy.

Provost-Marshal to take Sugar, &c. in Payment for any Thing purchased at his Sale at the current Prices.

Plaintiffs to accept the same from Marshal.

Sugars, &c. paid not to exceed the Amount of Debt, &c. Goods damaged before Sale Owner to make good the Loss, unless by Default of the Marshal.

Defendant concealing Goods taken in Execution, Security's Effects liable.

For Want of Effects, Securities to be sent to Court.

XIV. AND be it further Enacted, by the Authority aforesaid, That the said Provost-Marshal, or his Deputy, and all other Persons levying Executions, shall levy the same according to the Directions of such Execution, under the Penalty of Fifty Pounds for each Neglect or Default therein: But yet, if after the levying of Execution, the Defendant shall give unto the Provost-Marshal, or his Deputy, sufficient Security in double the value of the Goods or Things taken, to see the same forthcoming at the Day of Sale thereof; then the Provost-Marshal, or his Deputy, shall deliver unto such Defendant the Goods and Things so taken in Execution, to be by him kept during that Time; within which Time such Defendant may pay and discharge the Debt, with Costs: But if he doth not, then the Provost-Marshal, or his Deputy, upon the Plaintiff's delivering unto him a Writ of *Venditioni exponas*, shall cause the Goods and Things so taken in Execution, to be publicly sold at the Town next adjoining to the Place where Execution is levied; which said Sales shall always be by Day-light, and in the Presence of six credible Witnesses at the least: After which Sale, the said Provost-Marshal, or his Deputy, shall immediately pay unto the Plaintiff his Debt and Costs; and after deducting all Charges attending such Sale, shall return the Overplus, if any shall be, to the Defendant; but if the Things so levied on shall not amount to the Value of such Debt and Costs, then the Marshal, or his Deputy, shall further levy of the Goods, Chattels, Lands, and Tenements of such Defendant, sufficient to pay the said Debt, with Costs.

XV. PROVIDED always, and it is hereby further Declared and Enacted by the Authority aforesaid, That the Provost-Marshal, or his Deputy, and all and every other Person and Persons making Sales of any Lands, Tenements, Goods, or Chattels, taken in Execution by virtue of this Act, shall be, and they, and every of them are and is hereby obliged to accept, receive, and take from any Purchaser or Purchasers thereof, or of any Part thereof, in Payment and Satisfaction for the same, Sugars, Cotton, Indigo, and Molasses, paid and delivered him or them down upon such Sale by such Purchaser or Purchasers, at or in any Town of the said Island, at the current Prices the same Commodities shall at that Time respectively bear in the said Island; and that the Plaintiff or Plaintiffs in such Execution, shall also accept, take, and receive of and from the said Provost-Marshal, or his Deputy, or such other Person or Persons selling such Lands, Tenements, Goods, or Chattels, such of the said Commodities as he or they shall so receive upon such Sale at the respective Towns, and at the several Prices the said Commodities shall be paid to the Provost-Marshal, or his Deputy, or such other Person or Persons; so always, as the said Commodities so to be paid unto such Plaintiff or Plaintiffs, do not amount to more than his or their Debt, and Costs of Suit.

XVI. AND be it further Enacted, by the Authority aforesaid, That if any Goods taken in Execution shall perish before the Sale thereof (unless it be by the Default of the Provost-Marshal, or his Deputy, and in which case the Marshal and his Deputy is to make the same good) the Loss thereof shall be born by the Defendant, or Owner of the said Goods; and in such Case the Provost-Marshal, or his Deputy, shall and may further take of the Goods and Chattels, Lands and Tenements of the said Defendant, sufficient to answer the Debt and Costs.

XVII. AND be it further Enacted, by the Authority aforesaid, That if any Defendant, giving Security for the forthcoming of any Goods or Things taken in Execution, at the Day of Sale thereof shall conceal the same, or shall not deliver them to the Provost-Marshal, or his Deputy, on that very Day exactly (the Debt and Costs not being in the mean Time satisfied) then the said Provost-Marshal, or his Deputy, shall and may, by Writ from the Chief Justice, or, in case of his Absence or Disability, from the next Justice in Commission successively, immediately take and dispose, by Sale of the Goods, Chattels, Lands, and Tenements of such Defendant's Sureties, sufficient to answer the Debt, with all Costs attending it; and if the Sureties shall have no Estates, whereof to levy the said Debt and Costs, then it shall and may be lawful to and for the said Provost-Marshal, or his Deputy, to com-

mit

mit the said Securities to the Common Gaol of the said Island, where they are to remain till they shall have satisfied the said Debt and Costs.

XVIII. AND be it further Enacted, by the Authority aforesaid, That a Bill of Sale, under the Hand and Seal of the Provost Marshal, or his Deputy, of any Goods and Chattels taken in Execution, and which shall be sold and delivered over, shall give to the Plaintiff, or other Buyer or Purchaser thereof, a good, sure, and indefeasible Right and Title thereunto: And likewise, that such Bill of Sale, of or for any Lands, Tenements, or Hereditaments so taken, and sold or appraised, shall give unto the Plaintiff, or other Buyer thereof, as good and sufficient an Estate and Title therein and thereunto, as the Defendant from whom they are taken, hath, or can or may have of, in, or to, the same Lands, Tenements, or Hereditaments: And if the Provost Marshal, or his Deputy, shall refuse to execute to any Plaintiff or Purchaser a sufficient Bill of Sale, of and for the Land or Things which shall be so delivered over or bought, he shall forfeit the Sum of Fifty Pounds current Money for every Default.

1724.
Bill of Sale a sufficient Title to the Purchaser, &c.

Marshal refusing to give a Bill of Sale to forfeit 50l.

XIX. AND be it further Enacted, by the Authority aforesaid, That when any Goods, Chattels, Lands, or Tenements shall be taken in Execution upon any Judgment obtained in the said Court; the Provost Marshal, or his Deputy, shall immediately put up a Publication in the next adjacent Town, for the Sale thereof, at the Times, and in the Manner hereafter mentioned; that is to say, for Lands, Tenements, and Hereditaments, at the End of eighty Days; for Negroes and all other Slaves, at the End of eight and twenty Days; for Cattle, Chattels, Plantation Implements, and all other Goods whatsoever, at the End of ten Days after the same Lands, Tenements, Slaves, Goods, Chattels, and Things shall respectively be taken in Execution; and that all and every the Expences attending such Sales, shall be born by the Defendants, or other Persons whose Goods or Chattels, Lands or Tenements, shall be so taken in Execution.

Publication to be made for Sale of Effects taken in Execution.

Lands 80 Days;

Negroes 28 Days;

Cattle, &c. 10 Days.

XX. PROVIDED always, and it is hereby Enacted, That no Execution for any Debt or Damages shall be awarded or executed between the last Day of the Month of *August*, and the first Day of the Month of *March*, in each respective Year: Provided nevertheless, That Writs of *Habere facias Possessionem* of Lands and Tenements, and also Writs of Possession of Negroes, Cattle, or Chattels recovered in Actions of Detinue and Replevin, shall and may be awarded and executed at all times in the Year.

No Execution for Debt or Damages to be awarded or executed between *August* & *March*.

Writs of Possession may be issued and executed at any Time.

Jurors to be summoned for each Court.

Jurors may be summoned by a Notice in Writing.

vide No. 235.

Turns for Jurors serving.

XXI. AND be it further Enacted, by the Authority aforesaid, That eight Days before each Court, a *Venire facias*, signed by the Chief Justice, and, in case of his Absence or Disability, by the next Judge in the Commission successively, shall be issued; to summon a Jury of good and sufficient Men of the said Island, to appear and serve as Jurors at the then next Court; viz. Such as do or shall reside to the *Eastward* of the *Gutt*, commonly called or known by the Name of *Nichola-Town-Gutt*, on the Windward Side of the said Island; and to the *Eastward*, with the *Westermost* River of the Town of the *Old-Road*, on the Leeward Side, shall be obliged to appear one Court; and such as do or shall reside to the *Westward* of the said *Nichola-Town-Gutt*, and *Westermost* River of the Town of the *Old-Road*, at the other Court, beginning with the *Eastward* District in and so keeping their Turns alternately throughout the Year, under the Penalty of this Act.

XXII. AND whereas great Delays have frequently happened in Trials, for want of a sufficient Number of Freeholders; be it Enacted, by the Authority aforesaid, That all Persons residing in the said Island, seized of any Estate in Fee, or of any Freehold of the yearly Value of ten Pounds current Money, or possessed of any Personal Estate of the Value of one hundred Pounds current Money aforesaid, shall and may be of Jurors, to try any Issue real or personal; and also, that every Person summoned as a Juror, and not appearing, shall forfeit and pay Five Pounds current Money; and likewise, that if any Juror depart after he is sworn before Verdict delivered, he shall forfeit and pay Ten Pounds current Money, and suffer five Months Imprisonment, and another shall be sworn in his room; and that every Juror, before Verdict delivered, shall receive of the Marshal one Shilling and six Pence.

Who to be Jurors, &c.

Jurors summoned and not appearing, to forfeit 5l. if he depart after he is sworn before Verdict, forfeits 10l. & shall suffer five Months Imprisonment.

Each Juror to receive from the Marshal 1s. 6d.

Standers by to make up the Deficiency of Jurors, &c.

Jurors to find a Special Verdict, under Pain of Fine or Imprisonment, if Council on both Sides require it.

Penalty on Witnesses not appearing.

How applied.

XXIII. AND be it further Enacted, by the Authority aforesaid, That if a sufficient Number of the Persons summoned to be Jurors, do not appear to make a full Jury, then a Tale of the standers by shall be returned by the Marshal, who shall serve, under Pain of Commitment to the Gaol; and also, that Special Verdicts shall be found by the Jurors, where the Council on both sides shall agree, and desire to have the Facts found specially, upon Pain of Fine or Imprisonment, at the Discretion of the Court.

XXIV. AND be it further Enacted, by the Authority aforesaid, That where any Person shall be summoned by Writ of *Subpœna*, to give Evidence in any Matter depending in the said Court, and shall make Default therein (not being hindered by Sickneſs or old Age) such Person shall forfeit Fifty Pounds current Money; the one half to the Party for whom he was to give Evidence, and the other Moiety to go towards defraying the incident Charges of the Court: And an Affidavit made of the Service of the *Subpœna*, and that the Person

Court to put off Trial upon Affidavit, &c.

Summoned

1724.

Deposition of
Persons disabled,
or absent, to be
good Evidence,
&c.

Certificate of
Mayors, &c.

Probates of Wills
to be admitted in
Evidence.

Acts made per-
petual.
Statutes of Geo.
fals before
4th & 5th Ann.

17th Car. 2.

22d & 23d Car. 2.

1st Ja. 1.

29th Car. 2.

Judgment upon
Demurrer in any
Action to be gi-
ven as the Ju-
stice of the Cause
shall require.

Unless Defects of
Form are speci-
ally set forth.

17th Eliz.

Limitation of the
Statute of Geo-
fals.

Not to extend to
Cases of Felony,
or on Penal Sta-
tutes.

Defendant may
plead several
Matters with
Leave of the
Court.

Bail for Persons
arrested, may be
assigned to the
Plaintiff, &c.

Summoned is a material Witness, the Court shall put off the Cause, if the Party desire it, to the next Court, the said Party paying the Costs of the Day.

XXV. AND be it Enacted, by the Authority aforesaid, That the Depositions of Persons who are disabled to attend the said Court by old Age, Sickness, or being bound off the Island, shall be deemed good Evidence in all Civil Actions, provided they be taken by any Justice of the said Court, and three Days Notice be given to the Person against whom such Depositions are to be taken, or, in his Absence, to his Attorney or Agent, if any such be upon the Island, of the Name of the Witness to be examined, and of the Time and Place where such Witness is to be examined; and also, that all Certificates under the Hand and Seal of the Mayor of London, or any Justice of either Bench, or the Mayor or Chief Magistrate of any City or Corporation within the Kingdoms of Great-Britain and Ireland, and all and every other his Majesty's Lands, Islands, and Dominions; and all Probates of Wills under the Seals of the proper Spiritual Courts, and proved before the Ordinary in any of His Majesty's Colonies, shall be admitted, and given in Evidence in the said Court.

XXVI. AND be it further Enacted, by the Authority aforesaid, That all the Statutes of *Jeofails*, made within the Kingdom of England before the fourth and fifth Years of the Reign of Her said late Majesty Queen ANNE; and also an Act of Parliament made in the seventeenth Year of the Reign of the said late King CHARLES the Second, intituled, *An Act for avoiding unnecessary Suits and Delays*; and likewise two other Acts, the one made in the twenty second and twenty third Years of the Reign of the said King CHARLES the Second, intituled, *An Act for the better settling of Intestates Estates*; and the other made in the first Year of the Reign of the late King JAMES the Second, whereby the said two last mentioned Acts are made perpetual; and one other Act made in the twenty ninth Year of the Reign of the said King CHARLES the Second, intituled, *An Act for preventing of Frauds and Perjuries*, except where the same Act, or any Part thereof, is altered, or it is otherwise provided for in and by this Act, shall, by virtue of this Act, be adjudged to extend to, and be in force in the said Island for ever.

XXVII. AND be it further Enacted, by the Authority aforesaid, That where any Demurrer shall be joined and entered in an Action or Suit in the said Court, the Judges shall proceed and give Judgment according to the very Right of the Cause, and Matter in Law shall appear unto them, without regarding any Imperfection, Omission, or Defect, in any Summons, Return, Plaint, Declaration, or other pleading Process, or Course of Proceeding whatsoever (except those only which the Party Demurring shall specially and particularly set down and express, together with his Demurrer, as Causes of the same) notwithstanding that such Imperfection, Omission, or Defect, ought hitherto to have been taken to be Matter of Substance, and not ended, by the Statute made in the twenty seventh Year of the Reign of Queen ELIZABETH, intituled, *An Act for the Furtherance of Justice in case of Demurrer and Pleadings*, so as sufficient Matter appear in the said Pleadings, upon which the Court may give Judgment according to the very Right of the Cause.

XXVIII. AND be it further Enacted, by the Authority aforesaid, That the said Statute of *Jeofails* shall be extended to Judgments which hereafter shall be entered upon Confession, *Nihil dicit*, and *Non sum informatus* in the said Court; and no such Judgment shall be reversed, nor any Judgment upon a Writ of Enquiry of Damages executed, be staid or reversed by Reason of any Imperfection, Omission, Defect, Matter, or Thing whatsoever, which should have been aided and cured by any of the said Statutes of *Jeofails*, in case a Verdict of twelve Men had been given in the said Action or Suit, so as there be an Original Summons and Declaration.

XXIX. PROVIDED always, and be it Enacted, by the Authority aforesaid, That nothing in this Act before contained, shall extend to any Writ, Summons, Declaration, Indictment, or Suit of Appeal of Felony or Murder, or to any Process upon any of them; or to any Writ, Summons, Bill, Action, or Information upon any Penal Statute.

XXX. AND be it further Enacted, by the Authority aforesaid, That it shall and may be lawful for any Defendant or Tenant in any Action or Suit, or for any Plaintiff in Replevin, with the leave of the Court, to plead as many several Matters thereto, as he shall think necessary for his Defence; Provided all such Matters be entered in one Plea; and also, that where any Matter upon Demurrer joined shall be adjudged insufficient, or where any Defendant or Tenant shall be acquitted by Verdict, or otherwise, Costs shall be given in both Cases, at the Discretion of the Court.

XXXI. AND be it further Enacted, by the Authority aforesaid, That where any Person or Persons shall be Arrested by Writ or Process issuing out of this Court, at the Suit of any common Person, and the Provost Marshal, or other legal Officer shall take Bail from such Person, against whom such Writ, Bill, or Process shall be taken out; the Provost Marshal, or such other legal Officer, at the Request and Cost of the Plaintiff in such Action or Suit, or of his lawful Attorney, shall assign to the Plaintiff in such Action or Suit, such Bail-bond, or other Security, by endorsing the same, and attesting the same

under

under his Hand and Seal, in the Presence of one or more credible Persons; and if the said Bail-bond, or other Security taken for Bail be forfeited, the Plaintiff in such Suit, after such assignment made, may bring an Action and Suit thereupon in his own Name in the said Court; and the Court may, by a Rule, give such Relief to the Plaintiff and Defendant in the original Action, and to the said Bail upon the said Bond, or other Security taken from such Bail as is agreeable to Justice and Reason; and that such Rule or Rules of the said Court, shall have the Nature and Effect of a Defeazance to such Bail-bond, or other Security for Bail.

1724.
Bail Bonds forfeited and assigned, may be sued in the Name of the Plaintiff.
Court may give Relief, &c. by Rule.
Such Rule to have the Effect of a Defeazance to Bail Bond.

XXXII. AND be it further Enacted, by the Authority aforesaid, That upon Actions for trying of Titles to Messuages, Lands, Tenements, or Hereditaments, if it shall appear to the Court that it will be proper and necessary that the Jurors who are to try the Issues in any such Action should have the View of the Messuages, Lands, Tenements, or Hereditaments, or Place in question, in order to their better understanding the Evidence that will be given upon the Trials of such Issues; in every such Case, the Court may order special Writs of *Disfringas*, or *Habeas corpora* to issue; by which the Provost Marshal, or his lawful Deputy, or such other Officer to whom the said Writ shall be directed, shall be commanded to have six out of the first twelve of the Jurors named in each Writ, or some greater Number of them, at the Place in question, some convenient Time before the Trial; who then and there shall have the Matters in question shewn to them by two Persons in the said Writ named, to be appointed by the Court; and the said Provost Marshal, or his lawful Deputy, or other Officer who is to execute the said Writ, shall, by a special Return upon the same, certify that the View hath been had, according to the Command of the said Writ.

Views.
In what Case Court may order Lands, &c. to be viewed.

XXXIII. AND be it further Enacted, by the Authority aforesaid, That where any Action of Debt shall be brought upon any single Bill, or where Action of Debt or *Scire facias* shall be brought upon any Judgment, if the Defendant hath paid the Money due upon the said Bill or Judgment; such Payment shall and may be pleaded in bar of such Action or Suit: And where an Action of Debt is brought upon a Bond, which hath a Condition or Defeazance to make void the same, upon Payment of a lesser Sum at a Day or Place certain; if the Obliger, his Heirs, Executors, or Administrators, have, before the Action brought, paid the Oblige, his Executors, or Administrators, the Principal and Interest due by the Defeazance or Condition of such Bond; though such Payment was not made strictly according to the Condition or Defeazance, yet it shall and may nevertheless be pleaded in bar of such Action, and shall be as effectual a Bar thereof, as if the Money had been paid at the Day and Place according to the Condition or Defeazance, and had been so pleaded.

Payment may be pleaded in Bar of an Action of Debt upon Judgment or single Bill.

Where Payment has been made of Principal and Interest due upon a Bond with a Condition for Payment of a lesser Sum, such Payment may be pleaded in Bar.

XXXIV. AND be it further Enacted, by the Authority aforesaid, That all Interest upon Bonds to be sued for here, where the Sum to be paid for Interest is not certainly expressed in the Bond, shall be reckoned and computed after the Rate of Eight Pounds *per Centum per Annum*, and no more: And if at any Time pending an Action upon any such Bond, with a Penalty, the Defendant shall bring into Court all the Principal Money and Interest due on such Bond, and all such Costs as have been expended in any Suit in Law or Equity upon such Bond; the said Money so to be brought in shall be deemed and taken to be in full Satisfaction and Discharge of the said Bond; and the Court shall and may give Judgment to discharge every such Defendant of and from the same accordingly.

Interest upon Bonds, where the Rate is not expressed, to be 8l. per Cent.

Defendant may bring Principal, Interest, & Costs, into Court, in Discharge of his Bond.

XXXV. AND be it further Enacted, by the Authority aforesaid, That the Captain General, or Governor in Chief, with four or more of the Council, and in the Absence of the Captain General, or Governor in Chief, the Lieutenant Governor, or President of the Council, with the like Number of the Council, shall and may hear, try, and determine all Errors to be brought of any Judgments to be given in this Court, or which were given in the Courts held by virtue of any former Act for any Sum, Matter, Cause, or Thing; and that in the Absence of the Captain General, or Governor in Chief, the Lieutenant Governor, or, in his Absence, the President, of the Council, may sign all Writs or Error, and other Process thereupon; and that the not meeting of the Captain General, or Governor in Chief, Lieutenant Governor, or President at the Day of the Return of the Writ of Error, or Writ of *Scire facias*, to hear Errors, shall not discontinue any Writ of Error; and that no Judgment shall be given in the said Court of Errors, unless by the said Captain General, and Governor in Chief, or the Lieutenant Governor, or President, and four of the Council at the least, wherof none of the Judges of the said Court of King's Bench and Common Pleas shall be one; and that before any Argument shall be heard by them, they shall take the following Oath; *viz.*

Who to try and sign Writs of Error, &c.

Five Members of Council make a Court.

None of the Judges to sit in a Court of Errors.

I A. B. do swear upon the Holy Evangelists, That in all Errors to be now brought before me, I will not deny or delay Justice to either Party; but shall, to the best of my Skill, give Judgment thereupon. Their Oath.

So help me God.
And

1724.

No Execution in
any Action per-
sonal to be stay-
ed by Writ of Er-
ror, or Superse-
deas, unless Bail
be previously giv-
en, to pay Debt,
Dama. &c. and
Costs.

No Writs of Er-
ror, in Dower, of
Ejectment.

Bail be given in
such sum as
Court shall di-
rect.

Judgment to be
given upon Re-
turn of a Writ
of Enquiry of the
damages sustain-
ed after Judg-
ment in Dower
or Ejection.

Proviso.
As to Executors
and Administra-
tors.

Clause for pre-
venting vexati-
ous Suits on de-
fective Writs of
Error.

Party may ap-
peal to His Ma-
jesty in his Privy
Council, if Mat-
ter in Dispute
comes up to the
Value in the
Royal Instructi-
ons.
Executors, &c.
appealing, not to
give Security.

Writs of Error to
be serv'd on Chief
Justice, &c.

Who is to certify
a Copy of the
Proceedings in 8
Days.

Plaintiff to assign
Errors in 8 Days.

Defendant to
join in Error, &c.
in 8 Days, or lose
his Defence.

Justices may give
Judgment with-
out a Jury, in
Actions under
the Value of 10l.
or 1000lb Sugar
Where Attorneys
&c. are Plaintiffs
for 15l. or 2000lb
Sugar.

A Summons and
Copy of the Ac-
count only to be
served.
Plaintiff may
prove his own
Demand.

And that no Execution of any Judgment given in this Court, or which was given in any former Court in any Action Personal, shall be staid by Writ of Error, or a *Supersedeas* thereupon; unless such Person or Persons, in whose Name or Names such Writ of Error shall be brought, by two sufficient Securities (such as the said Court, or out of Court, as the Chief Justice, or, in his Absence, as the next senior Justice, one after another, as they are named in the Commission, shall allow of) shall, before such Stay made, or *Supersedeas* awarded, be bound unto the Party for whom any such Judgment is or shall be given, by Recognizance, to be acknowledged in double the Sum adjudged to be recovered by the said former Judgment, to prosecute the said Writ of Error with Effect, and also to satisfy and pay (if the same Judgment be affirmed) all and singular the Debts, Damages, and Costs, adjudged or to be adjudged upon the former Judgment, and all Costs and Damages to be also awarded for the same delaying of Execution: And further, That in Writs of Error to be brought upon any Judgment in any Writ of Dower, or in any Action of *Ejectione firmæ*, no Execution shall be thereupon or thereby stayed; unless the Plaintiff or Plaintiffs in such Writ of Error shall be bound unto the Plaintiff in such Writ of Dower, or Action of *Ejectione firmæ*, in such reasonable Sum as the Court shall think fit, with Condition, that if the Judgment shall be affirmed in the said Writ of Error, or that the said Writ of Error be discontinued by the Default of the Plaintiff or Plaintiffs therein, or that the said Plaintiff or Plaintiffs be nonsuited in such Writ or Writs of Error; that then the Plaintiff or Plaintiffs shall pay such Costs and Damages, Sum and Sums of Money, as shall be awarded upon or after such Judgment affirmed, or Discontinuance; or Nonsuit had.

XXXVI. AND to the End that the Sum and Sums; and Damage, may be ascertained; be it Enacted, by the Authority aforesaid, That the Court wherein such Execution ought to be granted upon such Affirmation, Discontinuance, or Nonsuit, shall issue a Writ to enquire as well of the mesne Profits, as of the Damage by any Waste, committed after the first Judgment in Dower, or in *Ejectione firmæ*; and upon the Return thereof, Judgment shall be given, and Execution awarded for such mesne Profits and Damages, and also Costs of Suit.

XXXVII. PROVIDED, That this Act, or any thing therein contained, shall not extend to any Writ of Error to be brought by any Executor or Administrator, or to any Action popular, or to any Action which is or shall hereafter be brought upon any Penal Law or Statute, nor to any Indictment, Presentment, Inquisition, or Information in this Court.

XXXVIII. AND for preventing great Vexation from suing forth defective Writs of Error, be it further Enacted, by the Authority aforesaid, That upon the quashing of any Writ of Error, hereafter to be sued out for Variance from the original Record, or other Defect, or if the Plaintiff shall be nonsuit, or discontinue his Writ; the Defendant in such Writ of Error shall recover against the Plaintiff issuing out such Writ, his Costs, as he should have done if the Judgment had been affirmed, and to be recovered in the same Manner; but the Plaintiff in such Writ is not barred from having a new Writ of Error: And in case either Party shall not rest satisfied with the Judgment which shall be given upon a Writ of Error, he may appeal to His Majesty in His Privy Council, if the Matter in dispute shall come up to the Value limited in his Majesty's Instructions to the Chief Governor, the Party appealing giving Security, as aforesaid; but no Executor, or Administrator, or Guardian, shall be obliged to give Security on a Writ of Error, unless where required by the Laws of England, nor upon any Appeal, unless on an Appeal to His Majesty in Council.

XXXIX. AND be it further Enacted, by the Authority aforesaid, That all Writs of Error shall be served on the Chief Justice, and in case of his Death, Absence, or Disability, on the next senior Justice, and so to the next, as they are named in the Commission, as aforesaid; who is required forthwith to cause a Transcript of the Record and Pleadings to be made out, and the same to certify under his Hand and Seal in eight Days after he is served with the Writ of Error; and when the Records and Proceedings are so certified, the Plaintiff is to assign Errors under his Council's or Attorney's Hands, and to file the same in eight Days after the Writ and Proceedings are returned and certified, and then give Notice thereof unto the other Party, his Council, or Attorney; and the Defendant in Errors shall plead Demur, or join in Errors within eight Days after Notice, or lose the Advantage of his Defence.

XL. AND be it further Enacted, by the Authority aforesaid, That the said Justices, or any of them, shall have Power to hear and determine in Court, without a Jury, all manner of Actions and Suits under the Value of ten Pounds current Money, or one thousand Pounds of Sugar; and likewise all Cases relating to Servants Wages, and Debts due to Artificers and Labourers, for Work done, not exceeding two thousand Pounds of Sugar, or fifteen Pounds current Money; and in such Actions there shall be no Declaration, only a Summons, and a Copy of the Account or Demand delivered to the Defendant six Days before the Court Day; and in such Case the Oath of the Plaintiff shall (if the Judge thinks fit) be a sufficient Evidence to prove the Debt or Demand.

XLI. AND be it further Enacted, by the Authority aforesaid, That all Contempts and Misemeanors, insolent or rude Demeanor, unhandsome or provoking Language in the Hearing, or in the Presence, of the Court; and all Neglects, and other Offences of Coroners, Secretaries, Marshals, Clerks, or other Officers of the Court in their several Offices, shall be punished by Fine, at the Discretion of the Court.

1724.

Misbehaviour in Court to be punished by Fine.

XLII. AND be it hereby further Enacted, That no Replevin shall hereafter issue to take or try the Title of Negroes or Slaves; but that the same shall be by Trover or Detinue: And also, that Executions to be awarded on Judgments already given in the Court of King's Bench and Common Pleas, which was held by virtue of any former Act of the said Island, shall and may issue according to the Form herein prescribed; and all Sales to be made of any Goods, Chattels, Lands, Tenements, or Hereditaments, taken or to be taken in Execution upon such Judgments, shall be in Manner as before in this Act is directed; by which Method the Provost Marshal, and all other Persons are to be governed.

No Replevin, but Trover or Detinue to try the Title of Negroes, &c.

XLIII. AND be it further Enacted, by the Authority aforesaid, That all Writs of *Scire facias* to revive Judgments to be given in the said Court, or which were given in any former Courts, shall be served six Days before the Court Day on which the same shall be returnable, and the Service thereof to be in such Manner as Writs of Summons are to be served; and if the Defendant plead not thereto at the same Court, the Judgment shall stand, and be revived.

Scire facias to be served in Six Days before Court Day, and Defendant to plead at the same Court.

XLIV. AND be it further Enacted, by the Authority aforesaid, That no Person shall for the future be admitted to the Bar of the said Court, or to plead as Council there, before he hath produced a Certificate of his Admission to the Bar at *Westminster*, or a Certificate from the Attorney or Solicitor General of the Leeward Islands, and one of the Practitioners already admitted, or hereafter to be admitted to plead as Council here, or of two such Practitioners of the said Court, as shall be for that Purpose appointed by any two of the said Justices, upon Oath of his Skill and Ability in the Law, and that he is fit to be admitted to the Bar of the said Court; and if any Person shall presume to plead as Council in the said Court, without such Qualification and Admission, he shall forfeit one hundred Pounds current Money; a Certificate whereof must be first filed in the Secretary's Office, before any Person shall be reckoned duly qualified and admitted; Provided, that the said Justices may admit any Persons, who they shall think fitly qualified to practice as Attornies or Solicitors in the said Court, so as such Solicitor or Attorney be not an Officer of the said Court, and so also, as every such Attorney or Solicitor shall, before his Admission to practice, take the following Oath in the said Court; *viz.*

Council, Attornies and Solicitors how to be admitted.

I A. B. do swear upon the Holy Evangelists of God, to do no Falshood, or consent to any to be done in this Court; and if I know of any to be done, to give Notice thereof to the Chief Justice, and his Assistants, that it may be reformed; to delay no Man for Lucre or Malice; to plead no foreign Plea, nor sue Foreign Suits unlawfully, to hurt any Man, but such as stand with the Order of Law and my own Conscience; nor wittingly nor willingly to sue, or cause or procure to be sued any false Cause or Suit, or give Aid or Consent to the same, upon pain of being expelled this Court for ever; and further to demean myself in the Office of Attorney or Solicitor within this Court, according to my Learning and Discretion.

Their Oath.

So help me God.

And if any Person shall presume to practice as an Attorney or Solicitor in the said Court before he hath been admitted as aforesaid, and shall have taken the foregoing Oath, he shall forfeit Fifty Pounds current Money of the said Island.

Penalty on practicing before Admission.

XLV. AND be it further Enacted, by the Authority aforesaid, That no Person practicing in the said Court, shall be Secretary, Deputy Secretary, Marshal, or Marshal's Deputy, under the Penalty of being disabled to practice: And that the Number of Attornies and Solicitors of the said Court shall not exceed more than four in Number at a time; and when any of them die, or go off the Island, or be struck out of the Roll of Attornies for any Crime or Misdeemeanor, then another shall be admitted, and sworn in his room.

No Officer of the Court to be a Solicitor.

4 Attornies and no more.

XLVI. AND be it further Enacted, by the Authority aforesaid; That the present Provost Marshal, and his Deputy, acting here; and also all such Persons as either of them do or shall employ, as Bailiffs or Assistants, shall, at the very next Court, take the following Oath; *viz.*

Marshal and his Bailiffs to take an Oath.

I A. B. do swear upon the Holy Evangelists, That I will execute all Process, Writs, and Precepts that shall be given to me, and which shall, by any lawful Authority, be directed to the Provost Marshal of this Island, or to his lawful Deputy, and make due Returns thereof (where necessary) according to the best of my Power and Skill, without any unnecessary Delay, and without Favour or Affection, Hatred or Ill-will.

Marshal's Oath.

So help me God.
And

1724.

Future Marshals
and their Bailiffs
to take the above
Oath.
Penalty on neg-
lecting so to do.

Counsel, Attor-
nies, &c. to take
the Oaths of Al-
legiance, &c.

Before the Court,
or Council, or
Court of Sessi-
ons.
Penalty on Neg-
lect.

Persons not lia-
ble to Arrest.

Proviso.

Clause relating
to protested Bills.

Rate of Interest
on Bonds, Mort-
gages, &c.

Clause relating
to Executors,

and to Invasion.

Limitation of
Actions.

Sec. 57th saves
the Right of In-
fants, &c.

Proviso.

And all Provost Marshals, and their Deputies, acting in this Island, and their Bailiffs and Assistants, shall for ever hereafter, before they enter upon their said Offices, respectively take the same Oath before the Captain General, Lieutenant Governor, or President of the said Island for the Time being; and if any of them neglect or refuse so to do, he shall be incapable of serving in the said Office; and the Provost Marshal, and his Deputy here, shall employ none but Persons of Ability and Honesty, for whom they shall be answerable.

XLVII. AND be it further Enacted, by the Authority aforesaid, That every Person who shall practise as Council at Law, Barrister, Attorney, or Solicitor in the said Court; and all Secretaries, their Deputies, and Clerks; all Provost Marshals, their Deputies, and Bailiffs; and all other Officers exercising any Employment in or about the said Court, shall, within one Month after they shall be admitted, or take upon them to practise, or to act in any such Employment or Business, take and subscribe the Oaths of Allegiance, Supremacy, and Abjuration, and make and subscribe the Declaration in this Act beforementioned before the Council of the said Island, or in the said Court, or at the General Quarter Sessions of Peace in the said Island, otherwise they shall be, *ipso facto*, adjudged incapable, and disabled in Law to plead or practise in the said Court, or to have, occupy, or enjoy the said Offices and Employments.

XLVIII. AND be it hereby further Enacted, by the Authority aforesaid, That no Person who is Owner either of fifteen Acres of Land, or of ten Slaves, or of a House in any Town within this Island, worth ten Pounds current Money by the Year, shall be liable to a *Capias ad respondendum*; but in Actions to be brought against them, he shall be obliged to answer by Summons only.

XLIX. PROVIDED nevertheless, and it is hereby Enacted, That where any Person pending an Action or Suit against him, shall send his Slaves, or other Effects off the Island, and thereby give Cause of Suspicion, that he doth the same with Design to defraud his Creditors; then such Person shall be immediately liable to an Arrest of his Body.

L. AND be it hereby further Enacted, by the Authority aforesaid, That where Bills of Exchange have been or shall be protested, according to the Custom of Merchants in that Behalf; every Person thereby prejudiced, or to whom such Bill is or shall be made payable by the first Drawer or Drawers, or any Indorser or Indorsers, shall and may commence and bring an Action upon the Case against the Drawer or Drawers, Indorser or Indorsers of the said Bills; and shall recover the Principal due thereupon, and Ten Pounds *per Centum* for his Damages, and after the Rate of Ten Pounds *per Centum per Annum* for Interest, to be reckoned from the Day of the Protest made, until the Principal Money due upon such Bill shall be paid and satisfied: And that all Bonds, Mortgages, and Securities whatsoever, made after the Publication of this Act, whereby there shall be reserved above the Rate of Eight Pounds for the Use and Forbearance of One hundred Pounds for one Year, shall be utterly void; but all Securities heretofore taken, shall be good for the Interest therein respectively expressed.

LI. AND be it hereby further Enacted, by the Authority aforesaid, That nothing in this Act shall be construed, or taken to affect the proper Goods or Chattels, Negroes, Lands, or Tenements, or the Persons of any Executors or Administrators, otherwise, or in any other Manner, than as the Goods, Lands, and Persons of Executors and Administrators are made chargeable and liable in the Kingdom of *Great Britain*, by the Laws and Usage thereof.

LII. AND be it hereby further Enacted, by the Authority aforesaid, That no public Alarm or Invasion shall cause any Discontinuance or Abatement of any Suit or Process, depending or to be depending in the said Court.

LIII. AND be it hereby further Enacted, by the Authority aforesaid, That all Actions of Trespass *Quare clausum fregit*, Trespass, Detinue, Trover, and Replevin, for taking away of Goods and Chattels; and all Actions of Assault, Menace, Battery, Wounding, Imprisonment, or Slander, which shall be sued or brought at any Time after the Date hereof, shall be commenced and sued within the Time and Limitation hereafter expressed, and not after; that is to say, The said Actions of Trespass, Detinue, and Replevin of Goods and Chattels; and the said Actions of Trespass *Quare clausum fregit*, within three Years next after the Date hereof, or within three Years next after the Cause of such Action or Suit, and not after; and the said Actions upon the Case for Slander, within one Year after the Date hereof, or within one Year after the Words are spoken, and not after.

LIV. PROVIDED nevertheless, and be it further Enacted, by the Authority aforesaid, That if in any of the said Actions or Suits Judgment be given for the Plaintiff, and the same be reversed by Error, or Verdict pass for the Plaintiff; and upon Matter alledged in Arrest of Judgment, the Judgment be given against the Plaintiff, that he take nothing by his Plaint, Writ, or Bill; then, and in such Cases, the Party Plaintiff, his Heirs, Executors, or Administrators, as the Cause shall require, may commence a new Action or Suit from time to time, within a Year after such Judgment reversed, or such Judgment given against the Plaintiff, and not after.

LV.

LV. AND be it hereby further Enacted, by the Authority aforesaid, That in all Actions of Trespafs *Quare clausum fregit*, hereafter to be brought, wherein the Defendant or Defendants shall disclaim in his or their Plea, to make any Title or Claim to the Land in which the Trespafs is by the Declaration supposed to be done, and the Trespafs be by Negligence or involuntary, the Defendant or Defendants shall be admitted to plead a Disclaim-er, and that the Trespafs was by Negligence or involuntary, and a Tender and Offer of sufficient Amends for such Trespafs before the Action brought; whereupon, or upon some of them, the Plaintiffs shall be forced to join Issue; and if the said Issue be found for the Defendant, or the Plaintiff be nonsuited, the Plaintiff shall be clearly barred from the said Action, and all other Suits concerning the same.

1724.
Where a Trespafs was involuntary, the Party may plead a Disclaimer, and Tender of Amends.

LVI. AND be it hereby further Enacted, by the Authority aforesaid, That in all Actions on the Case for slanderous Words to be sued or prosecuted, if the Jury upon the Trial of the Issue, or the Jury that shall enquire of the Damages, do find or assess the Damage under forty Shillings, then the Plaintiff shall recover only so much Costs, as the Damages so given or assessed amount unto, without any further Increase for the same; any Law, Statute, Custom, or Usage to the contrary in any wise notwithstanding.

In Actions for slanderous Words if Jury find under 40s. Plaintiff shall recover no more Costs.

LVII. PROVIDED nevertheless, and be it hereby further Enacted, by the Authority aforesaid, That if any Person or Persons that is or shall be intitled to any Action of Trespafs, Detinue, Trover, Replevin, Assault, Menace, Wounding, or Imprisonment, or Action for Words, be, or shall be at the Time of any such Action given or accrued, fallen or come within the Age of one and twenty Years, Feme-covert, *Non compos mentis*, imprisoned, or absent from this Government; that then such Person or Persons shall be at Liberty to bring the same Actions, so as they take the same within such Times as are before limited, after their coming to, or being of full Age, Discover, of sound Memory, at large, or returned to this Government, as other Persons having no such Impediment, might have done.

Clause relating to Persons under Age, &c.

LVIII. AND whereas by an Act of Parliament, made in the Twenty-first Year of the Reign of the late King JAMES the First, intituled, *An Act for Limitation of Actions, and for avoiding of Suits in Law*, it is (amongst other Things) Enacted, That all Actions of Account, and upon the Case, other than such Accounts as concern the Trade of Merchandize between Merchant and Merchant, their Factor or Servant; all Actions of Debt grounded upon any Lending or Contract without Specialty, and all Actions of Debt for Arrearages of Rent, shall be commenced and sued within Six Years next after the Cause of such Action or Suit, and not after: And whereas the said Island has been chiefly settled by Credit given by Merchants and others, to the Inhabitants and Settlers thereof: To the End, therefore, that such Creditors may by no Means lose the Debts due to them, be it hereby further Enacted; by the Authority aforesaid, That the aforesaid Clause of the said Act shall not be pleaded in Bar of any Action or Suit to be brought in the Courts of the aforesaid Island for any Debt or Contract whatsoever, for the Space of seven Years next after the Date of this Act; and that all and every Person or Persons, who have or shall have any Debt or Debts due and owing unto them from any Person or Persons in the said Island, shall and may, within the said seven Years, be at Liberty to bring the same Actions and Suits; any thing in the said mentioned Act, or in any other Act contained to the contrary in any wise notwithstanding.

Recital of 21st Jac. 1.

The Act Jac. 1. not to be pleaded in Bar of any Action to be brought within seven Years after the Date of this Act.

LIX. AND be it further Enacted and Declared, by the Authority aforesaid, That all Grants or Conveyances made of any Plantations, Lands, Tenements, or Rents, or of the Reversion or Remainder of any Messuages or Lands, shall be good and effectual, to all Intents and Purposes, without any Attornment of the Tenants of any such Plantations, Lands, or Messuages, or of the Land out of which such Rent issues, or of the particular Tenants upon whose particular Estates any such Reversions and Remainders have been or may be expectant or depending, as if their Attornment had been had and made: Provided nevertheless, That no such Tenant shall be prejudiced or damaged by Payment of any Rent to any such Grantor, or by Breach of any Condition for Non-payment of Rent, before Notice shall be given to him of such Grant by the Grantee.

Grants of Lands &c. to be good, without any Attornment of the Tenants.

LX. AND be it hereby further Enacted, by the Authority aforesaid, That the Judges of the said Court shall and may make and establish Rules and Orders of Practice in the said Court, over and besides what is contained in this Act; and until they shall so do, the Practitioners and Officers of the said Court shall, as near as they can, govern themselves by the Rules of the Courts of King's Bench and Common Pleas at *Westminster*; which Rules, except where they are altered, or it is otherwise provided for in and by this Act, shall be in force until new and other Rules are made and established by the Judges aforesaid, and published in the Secretary's Office here.

Judges may make Rules and Orders of Practice. Rules of Practice of the King's Bench and Common Pleas in England to govern, unless Rules are made by the Court or this Act to the contrary.

LXI. AND be it further Enacted, by the Authority aforesaid, That all Fines imposed upon Jurors, or Persons summoned as Jurors, by this Act, shall be immediately levied by Distress and Sale of the Offender's Goods and Chattels; and for want thereof, by Imprisonment

Fines upon Jurors, Attornies, &c. how to be levied.

1724.

ment of his or their Body or Bodies, until such Fine or Fines shall be paid, by Warrant under the Hand of any of the said Judges, to be directed to the Provost Marshal, or his lawful Deputy; and the Forfeitures imposed on Persons presuming to practice as Counselors or Barristers at Law, Attornies, or Solicitors in the said Court, without such Qualifications and Admissions as are before directed in and by this Act; and also, upon the Secretary or his Deputy, the Provost Marshal, or his Deputy, and their Bailiffs and Assistants, shall be recovered by Action, Bill, or Information in this Court, where no Assize, Protection, or Wager of Law, nor any more than one Imparlance shall be allowed; and after Judgment had thereupon, Execution shall issue, as in other Cases is appointed; the Moiety of which said Fines upon Jurors shall be to his Majesty, His Heirs and Successors, to be paid to the Treasurer of the said Island, and to be employed for and towards the defraying the public incident Charges thereof; and the other Moiety shall go towards defraying the Charges of the Judges at their Sitzings; and the Moiety of all the Forfeitures and Penalties to be incurred by Lawyers, and also by the Secretaries and the Deputies, and the Marshals and their Deputies, Bailiffs, and Assistants (except where the same, or any Part thereof, is or are herein otherwise applied) shall be to His said Majesty, His Heirs, and Successors, to be paid and applied, as aforesaid; and the other Moiety to such Person or Persons as shall inform and sue for the same.

and applied.

Docket of Fees annexed to be the standing Fees.

LXII. AND be it hereby further Enacted, by the Authority aforesaid, That the several Fees and Sums of Money mentioned and expressed in a Docket of Fees hereunto annexed, be, and shall be the standing Fees; and no other, or greater Fees shall be taken by the respective Persons in the said Docket mentioned.

Acts repealed.

LXIII. AND be it hereby Enacted, by the Authority aforesaid, That all former Acts made in the said Island for establishing of Courts, or regulating the Practice of the Law, or for settling due methods for the Administration of Justice in the said Island, shall, by virtue of this Act be repealed; and the same are, and every of them is hereby repealed, and made void.

A Temporary Clause.

LXIV. AND be it hereby further Enacted, by the Authority aforesaid, That all Causes, Actions, and Suits, now depending in the Court of King's-Bench and Common-Pleas of the said Island, and which was held by virtue of the aforesaid former Act of the said Island, intituled, *An Act for establishing of Courts, and settling due Methods for the Administration of Justice*, shall be continued in the State they now are, until the Court be held in the Month of May next, and then the same Causes, Actions, and Suits shall be tried and determined according to the Tenor and Directions of this Act; any thing hereinbefore contained to the contrary thereof in any wise notwithstanding.

A Table or Docket of Fees in the foregoing Act mentioned, to be thereunto annexed.

LXV. Chief Judge's Fees.

	l.	s.	d.
FOR every Writ, original and judicial, under his Hand and Seal,	0	6	0
For every Affidavit or Deposition taken before him at his own House,	0	6	0
For every Affidavit or Deposition taken before him abroad, when he goes on } purpose to take them,	1	8	0
For every Witness sworn in Court,	0	3	0
For every Judgment,	0	3	0
For the Allowance of a Writ of Error,	0	6	0
For Bail taken upon a Writ of Error,	0	14	0
For marking of the Record after the Writ is allowed,	0	6	0
For the Transcript of the Record examined and returned under his Hand } and Seal,	1	8	0
For every Bail, or other Security taken in Court or out of Court,	0	14	0
For every Summons to shew Cause of Action,	0	6	0
For the Examination of a Feme-covert upon any Conveyance,	2	16	0
For the Probate of every Deed or Writing for each Witness sworn,	0	6	0
For taxing a Bill of Costs,	0	6	0
For acknowledging of any Deed to be inrolled,	0	14	0
For the Admission of an Infant to his Guardian,	0	14	0
For the Commitment of every Prisoner offending against the foregoing Act,	0	14	0
For the acknowledging Satisfaction of a Judgment in Court,	0	6	0
For the Admission of every Attorney of this Court,	2	16	0
For taking a Privy Verdict,	0	14	0
For the Exemplification and Examination of any Record,	1	8	0

LXVI.

LXVI. *Judge's Clerk's Fees.*

1724.

	l.	s.	d.
To the Judge's Clerk, for taking every Bail,	—	—	—
To ditto, for every Affidavit drawn by him,	—	—	—
To ditto, for drawing a Summons to shew Cause of Action,	—	—	—
To ditto, for drawing every Bill of Costs,	—	—	—
To ditto, for the Examination of a Feme-covert, or Probate of any Deed or Writing,	—	—	—
To ditto, for drawing a Bail-Bond, or other Bond with Sureties,	—	—	—

LXVII. *Secretary's Fees.*

For entering every Action,	—	—	—	—	o	3	o
For every Writ of Summons to appear to an Action,	—	—	—	—	o	3	o
For filing every Declaration, Demurrer, Special Plea in Bar or Abatement,	—	—	—	—	o	1	6
Replication, or Rejoinder,	—	—	—	—	o	1	6
For a Copy of a Declaration to serve on the Defendant, for every hundred and twenty Words,	—	—	—	—	o	1	o
For entering every General Issue,	—	—	—	—	o	1	6
For the Entry of every Declaration, or other Pleading, and all Judgments and Proceedings upon any Action or Suit in the said Court, as of Record in the Book for that Purpose to be kept, for every hundred and twenty Words,	—	—	—	—	o	1	o
For every Witness sworn in Court,	—	—	—	—	o	1	o
For entering a General Verdict,	—	—	—	—	o	1	o
For entering Judgment,	—	—	—	—	o	1	6
For every Writ, original or judicial, which he shall draw,	—	—	—	—	o	3	o
For the Transcript or Copy of any Record, or of any Deed or other Papers recorded in the Secretary's Office, for every hundred and twenty Words,	—	—	—	—	o	1	o
For the recording or entering of any Deed or Writing in the Books kept in the Office, for every hundred and twenty Words,	—	—	—	—	o	1	o
For the Entry of any Recognizance, with Condition, taken in Court,	—	—	—	—	o	3	o
For the Continuance of every Action to the third Court by Consent of Parties,	—	—	—	—	o	1	6
For every Satisfaction, <i>Retraxit</i> , or <i>Nolle prosequi</i> entered,	—	—	—	—	o	1	6
For swearing every Attorney of the Court,	—	—	—	—	o	3	o
For his Certificate, and filing it,	—	—	—	—	o	3	o
For administering the Oaths of Allegiance, &c. to any Person in Court,	—	—	—	—	o	1	6
For entering a Warrant of Attorney to confess Judgment,	—	—	—	—	o	6	o
For the Probate of every Deed or Writing proved in Court,	—	—	—	—	o	3	o
For entering an Order of Reference,	—	—	—	—	o	1	6
For Copy of ditto,	—	—	—	—	o	3	o
For entering the Referee's Report,	—	—	—	—	o	1	6
For filing a <i>Scire facias</i> of any kind,	—	—	—	—	o	1	6
For entering the Writ of Error, and all Proceedings thereupon, for every hundred and twenty Words,	—	—	—	—	o	1	o

LXVIII. *Marshal's Fees.*

For serving every Writ of Summons, and every other original Writ,	—	0	3	0
For serving a Copy of a Declaration,	—	0	3	0
For serving a <i>Scire facias</i> ,	—	0	3	0
For every Jury impannelled, he paying each Juror Eighteen Pence,	—	1	18	0
For his Attendance upon a Jury when withdrawn,	—	0	3	0
For levying every Execution, for any Sum not exceeding One hundred Pounds, after the Rate of Twelve Pence <i>per</i> Pound,		}		
For levying every Execution, for any Sum above One hundred Pounds, after the Rate of Six Pence in the Pound,	—			
For putting up each Publication, or Sale of Things taken in Execution,		0	3	0
For serving a Warrant of Appraisement, for each Person summoned,		0	3	0
For executing a Writ of Possession of Land,	—	0	3	0
For executing a Writ of Possession for Negroes, for each Negro,		0	6	0
For executing a Writ of Possession of Horses, and other Cattle, for each Beast,		0	2	0
For serving a Writ of <i>Disfringas</i> , or <i>Habeas Corpora</i> , and attending the Jurors upon the View of any Lands or Tenements, and making his Return thereof to the Court,	—	}	1	10
	—		0	

For

1724.

	l.	s.	d.
For serving any judicial Writ not hereinbefore mentioned, ———	0	6	0
For a Bill of Sale of any Lands, Tenements, Goods, or Chattels, taken in Execution, and delivered or sold to the Plaintiff, or other Person, ———	1	8	0
For Bail taken in Court, ———	0	3	0
For serving a <i>Subpœna</i> on Witnesses, for each Witness, ———	0	3	0
For the safe conducting of every Prisoner to and from the Court upon a Writ of <i>Habeas Corpus</i> , or otherwise, ———	0	7	0
For every Person taking the Oaths of Allegiance, &c. in Court, ———	0	0	9
For summoning a Jury on a Writ of Partition of Lands or Tenements, ———	1	8	0
For attending the Jury upon a Partition, and drawing the Partition made by them, and his Return thereof, ———	3	0	0
For summoning a Jury, upon any Enquiry to be made, or Inquisition to be taken by him, or the Trial of the Property of any thing taken in Execution by him for Debt, or Damages, or upon a Writ, <i>De proprietate probanda</i> , in Replevin, ———	1	8	0
For his Attendance upon every such Jury, and his Return of the Inquest taken, ———	1	8	0

No. 60.

Expiret.

An Act for raising a Tax on Negroes, and other Slaves, and on the Inland Trade of the said Island.

No. 61.

Expiret.

An Act for settling the yearly Sum of Three hundred Pounds current Money, on the Honourable William Mathew, Esquire, Lieutenant Governor of St. Christopher's, for discharging the Rent of a House for his Reception.

No. 62.

Expiret.

An Act for Repealing of a certain Act of the Island of St. Christopher, intituled, An Act for settling a Salary on William Nevine, Esquire, Agent for the Island of St. Christopher, in London, during his Agency.

No. 63.

Expiret.

An Act for settling a Salary on Thomas Beake, Esquire, Agent for the Island of St. Christopher, in London, during his Agency.

No. 64.

Repealed by Act
No. 76. passed
in the Year 1728

An Act for building a Court House, or public Hall, Secretary's, and other Offices, at the Town of Old Road, in the Island of St. Christopher; and to oblige the Secretary, and other Officers, to keep their respective Offices in the said Town.

No. 65.

1724.

An Act for erecting into a Parish, Part of the Quarter of this Island, called Cabesterre Quarter, by the Name of the Parish of St. Paul, Cabesterre; and for enlarging the Two Parishes of St. Anne, Sandy Point, and St. John, Cabesterre, within the said Island. Repealed by Act No. 70. passed in the Year 1727.

No. 66.

1725.

An Act to repeal an Act made in the Eighth Year of the Reign of His Majesty King GEORGE, intituled, An Act for raising of Gunpowder, and Small Arms, upon the Tonnage of the Vessels trading to and with this Island; so far as the said Act relates to all Sloops and other Vessels trading to this Island from the British Islands, lying to the Leeward of this Island; and to exempt the said Sloops and Vessels from the Duties and Penalties in the said Act contained.

No. 67.

An Act to limit the Time of an Act, intituled, An Act to regulate the Militia of this Island. Expired.

No. 68.

1727.

An Act to subject all Goods and Commodities of the Growth and Produce of the late French Part of the Island of St. Christopher, which are or shall be shipt off from the said Island, to the Payment of the Four and a Half per Cent. Duty; and to ascertain at what Places all the Duties of Four and a Half per Cent. shall be received. This Act was, as to the Place, of paying Duties, enlarged by an Act passed in the Year 1749. Vid. No. 150.

WHEREAS in and by an Act or Statute of the General Council and General Assembly of the Leeward Charribbee Islands in America, called or known by the Names of the Islands of Nevis, St. Christopher, Antigua, and Montserrat, made in or about the Year of our Lord One thousand Six hundred and Sixty-three, and intituled, *An Act for settling an Impost on the Commodities of the Growth of the said Leeward Charribbee Islands*; a certain Duty or Custom of Four Pounds and an half in Specie, for every Hundred Weight of the Commodities of the Growth and Produce of the said Leeward Charribbee Islands, then after to be shipt off from the said Island, or any of them, was given and granted to our late Sovereign Lord CHARLES the Second, then King of England, Scotland, France, and Ireland, and to his Heirs and Successors for ever, as in and by the same Act or Statute, relation being thereunto had, may more fully, and at large appear: And whereas since the making of the said Statute (to wit) in and by the late Treaty of Peace and Friendship concluded at *Utrecht*, between the Crowns of Great-Britain and France, an entire Cession was made by the Most Christian King, LEWIS the Fourteenth, to our late Sovereign Lady ANNE, Queen of Great-Britain, France, and Ireland, and to Her Crown for ever, of all that Part of the Island of St. Christopher formerly belonging to the Crown of France, so that the same late French Part of the said Island of St. Christopher is now become Parcel of the Realm of Great-Britain, and is under the sole Dominion and Government of the Crown of the same: And whereas some Doubts have arisen, whether the said late French Part of the said Island, so yielded up as aforesaid, to the said Crown of Great-Britain, be subject to the Payment of the aforesaid Duties of Four Pounds and a Half per Cent. so as aforesaid in and by the said recited Act given and granted to our said late Sovereign Lord King CHARLES the Second, His Heirs and Successors: For avoiding therefore all Disputes and Controversies which may for the future arise within the same Island, touching or concerning the Payment of the same Duties; We, Your Majesty's most dutiful and loyal Subjects, JOHN HART, Esquire, Your Majesty's Captain-General, and Governor in Chief of all Your Majesty's Leeward Charribbee Islands in America, and the Council and Assembly of the said Island of St. Christopher, do humbly beseech Your Majesty that it may be Enacted and Declared; And be it, and it is hereby Enacted and Declared, by the King's Most Excellent Majesty, by and with the Advice and Consent of the Captain General, and Governor in Chief of the said Leeward Charribbee Islands in America, and the Council and Assembly of the said Island of St. Christopher, and by

1727.

All Goods of the
Produce of the
French Part of
the Island liable
to Four and a
Half per Cent.
Duty.

the Authority of the same, That all and singular the Goods and Commodities of the Growth and Produce of the said late *French* Part of the said Island of *St. Christopher*, and which at this Time are, or hereafter shall be shipped from thence, in order to be carried to any other Port or Place whatsoever, are, and for ever hereafter shall be, subject and liable; and the same Goods and Commodities, and every of them, are hereby made subject and liable to the Payment of the aforesaid Duties and Customs of Four Pounds and Half a Pound *per Cent.* in Specie, to Your Most Sacred Majesty, Your Heirs and Successors, in such Manner and Sort, as the Goods and Commodities of the Growth and Produce of that Part of the said Island, known or called by the Name of the *English* Part thereof, have heretofore and hitherto been subjected and liable unto, by Force and Virtue of the above-recited Act or Statute.

Duties paid here-
tofore only at the
English Shipping
Places.

Duties hereafter
to be paid at Old
Road, Sandy-
Point, and Bass-
terre.

May be paid at
Depot, Vid.
No. 159.

II. AND whereas the said Duties or Customs have heretofore been accustomed to be paid to Your Majesty; and Your Royal Predecessors; at the Ports or Shipping Places only within the *English* Part of the said Island; which being most of them very remote, and far distant from most of the Settlements made by Your Majesty's Subjects in the said late *French* Part of the same Island, doth render the Carriage of the same Duties and Customs, in Hogsheads, Casks, and other Packages thither, very inconvenient; burthensome, and expensive to them: For Remedy thereof for the future, and forasmuch as there is at this Time a very considerable Town built by several of your Majesty's good and faithful Subjects, called *Basseterre* Town; within the *French* Part of the said Island, which is now become one of the chief Places of Trade in the said Island, and where a great Part of the Ships and Vessels trading to the same do lade; be it therefore further Enacted and Declared, by the Authority aforesaid, That the several Ports of *Old Road*, *Sandy Point*, and *Basseterre*, within the said Island, shall for ever hereafter be, and be deemed and taken as Towns and Places wherein the aforesaid Duties and Customs accruing and growing due to Your Majesty, Your Heirs and Successors, within the said Island of *St. Christopher*, by virtue of this and the above-recited Act, or either of them, shall and may be paid and delivered; and that Your Majesty's present Customer or Collector of Your Customs in the said Island, and all and every other Customer or Collector, Customers and Collectors, within the same Island for the future, shall receive and take the said several Duties and Customs at the said several Towns of *Old Road*, *Sandy Point*, and *Basseterre*, respectively; any Law, Statute, or Usage to the contrary thereof in any-wise notwithstanding.

No. 69.

Confirmed by the King in 1728. *An Act against covinous and fraudulent Conveyances; and for a public Registry in the Island of St. Christopher.*

This Act was ex-
plained and a-
mended by an Act
made in 1758.
Vid. No. 177.

Deeds, Wills, &c.
to be registered.

Deeds executed
subsequent to 1758.

FORASMUCH as divers of His Most Excellent Majesty's good and faithful Subjects in the said Island; after Conveyances to be obtained, and Purchases to be made, of Lands, Tenements, and Hereditaments, Negro, Mulatto, or *Indian* Slaves, for Money, or other good Consideration, may have, receive, and incur great Loss and Prejudice, by reason of fraudulent and covinous Sales, Conveyances, Estates, Gifts, and Assurances and Limitations of Uses to be made of, in, or out of any Lands, Tenements, Hereditaments, Negro, Mulatto, or *Indian* Slaves to be purchased: And whereas Estates and Titles are rendered uncertain and precarious to the Inhabitants of the said Island, for want of a proper Office for the securing and preserving of Deeds and Conveyances; and cannot be remedied, but by settling and establishing one for that Purpose: And whereas the Island of *Antigua* hath, by many Years Experience, been convinced of the unspeakable Advantages of an Act erecting an Office in that Island, for the registering of Deeds, Conveyances, and Wills: We, therefore, Your Majesty's most dutiful and loyal Subjects, the Captain General, and Governor in Chief of all Your Majesty's Leeward *Charribbee* Islands in *America*, and the Council and Assembly of the Island of *St. Christopher*, pray that it may be Enacted; And be it, and it is hereby Enacted and Ordained, by the King's Most Excellent Majesty, by and with the Advice and Consent of the said Chief Governor, and the said Council and Assembly, and by the Authority of the same, That all Deeds and Conveyances, Gifts, Grants, and Assurances, which, after the Publication of this Act shall be made in Writing, and executed; and all Wills and Devises in Writing, made or to be made, and published where the Devisor or Testator shall die (after the said Publication of or concerning, and whereby any Messuages, Lands, Tenements, Hereditaments, Negroes or other Slaves whatsoever, in the said Island, may be any way affected in Law or Equity) shall be entered and registered in such Manner as is hereinafter directed; and that every Deed and Conveyance that shall,

at any Time after such are registered; be made and executed, of the Messuages, Lands, Tenements, Hereditaments, Negroes, or other Slaves, or any Part thereof comprised or contained in any such Deed or Conveyance, shall be adjudged fraudulent and void, against any subsequent Purchaser or Mortgagee, for valuable Consideration, unless such Deed and Conveyance shall be registered, as by this Act is directed, before the registering of the Deed or Conveyance under which such subsequent Purchaser or Mortgagee shall claim: And that every Devise, by Will of Lands, Tenements, Hereditaments, Negroes, or other Slaves, or any Part thereof mentioned or contained in any Will so registered, as aforesaid, that shall be made and published after the registering such Will, shall be adjudged fraudulent and void, against any subsequent Purchaser or Mortgagee, for valuable Consideration, unless such Will be registered in such Manner as is hereinafter directed.

1727.

registered Deeds null and void.

Sec. XIV.

II. AND be it further Enacted, That from and after the Publication of this Act, no Lands, Tenements, or Hereditaments whatsoever, within this Island, shall pass, alter, or change, from one to another; nor any Estate of Inheritance or Freehold, or for Years, shall be made, or any Property therein altered or transferred, or take Effect in any other Person or Persons, or any Use thereof be raised by reason of any Bargain, Sale, Feoffment, Gift, Letters Patent, Grant, or other Conveyance whatsoever, to be made or executed thereof, except such Letters Patent, Bargain, Sale, Feoffment, Gift, Grant, or other Conveyance, shall be entered and registered in the said Register's Office, as follows; viz. Every Letters Patent, Bargain, Sale, Feoffment, Gift, Grant, or other Conveyance of, touching, or concerning the Premises, or any of them, made and executed upon the said Island, shall be registered within Three Calendar Months after the making and executing thereof; and every such Letters Patent, Bargain, Sale, Feoffment, Grant, or other Conveyance made and executed beyond the Seas, shall be entered and registered within the Term of Two Years from and after the Execution thereof.

No Lands, &c. to pass, unless Deeds are registered. Vid. No. 177.

(If executed within the Island) in Three Months, (if beyond the Seas) in Two Years after Execution.

III. PROVIDED nevertheless, and it is hereby Declared, That nothing in this Act contained shall extend, or be construed, deemed, or taken to extend to any Contracts made or to be made with the Commissioners appointed by His Majesty, for the proposing, offering, treating, contracting, and agreeing for the Purchase of the late French Lands in this Island, or to any Leases made of any Lands, Tenements, Hereditaments, Negroes, or other Slaves, wherein or whereupon the full or accustomed Rent of such Lands, Tenements, Hereditaments, Negroes, or other Slaves, is really, and *bona fide*, reserved and made payable, and where the Lessee is and shall have been in the actual Possession of the Lands, Tenements, Hereditaments, Negroes, or other Slaves so leased, from the Time of making such Lease; but that all such Contracts and Leases shall be in all Things as firm, valid, and effectual (although not registered in the said Office) as they would or could have been in Case this Act had never been made; any Thing hereinbefore contained to the contrary thereof in any-wise notwithstanding.

Not to extend to Contracts made with His Majesty's Commissioners,

nor to Leases where the full accustomed Rent is reserved.

IV. AND for the preventing any Frauds that may be committed by any double Mortgage, or Sale of any Lands, Tenements, Hereditaments, Negroes, or other Slaves, after any Mortgage or Sale made thereof; be it, and it is hereby Enacted, by the Authority aforesaid, That every Grant, Bargain, Sale, or other Conveyance hereafter to be made of any Lands, Tenements, Hereditaments, Negroes, or other Slaves, for the securing the Payment of any Sum or Sums of Money, or Quantity of Sugar, or for the Performance of any Condition whatsoever, shall be void, to all Intents and Purposes whatsoever; unless the same be entered and registered in the said Office, if made and executed within this Island, in One Calendar Month; and if beyond the Seas, within One Year after the Execution of such Deed.

Mortgages or Sales of Lands, or Negroes if not duly registered to be void. Vid. No. 177.

V. AND for preventing of Frauds usually committed in making private Gifts and Grants of Negroes and other Slaves, for Consideration of Blood, or natural Affection; be it, and it is hereby likewise further Enacted, by the Authority aforesaid, That all and singular Gifts and Grants of Negroes or other Slaves, which hereafter shall be made to any Person or Persons whatsoever, in Consideration of Blood, or natural Affection, or where the Person or Persons to whom such Gift or Grant shall be made, is or are any-wise allied by Blood to the Giver or Granter thereof, shall be, *ipso facto*, void, to all Intents, Constructions, and Purposes; unless such Gifts and Grants shall be put into Writing, and entered and registered in the said Office within such Time and Times, and in such Manner as all other Deeds, Conveyances, Assurances, and Mortgages of Lands, Tenements, Hereditaments, Negroes, and other Slaves, within the said Island, are hereinbefore directed and appointed to be entered and registered: And that every such Deed, and other Conveyance in Writing (Letters Patent only excepted) of, touching, or concerning the Premises, as shall be made and executed upon this Island, shall, before the same be registered, be either acknowledged by the Party or Parties who shall execute the same, or the Execution thereof be proved by the Oath of one of the Witnesses thereto, before the Chief Justice of the King's Bench and Common Pleas here; or, in case of his Absence from this Island, before the eldest

Grants of Negroes, &c. for Consideration of Blood or Affection, must be recorded.

Vid. No. 177.

Before Registry, Parties to acknowledge, or Witnesses to prove Execution of Deeds, if made on the Island.

est

1727.

If executed off
the Island, how
to be proved.

est Justice of the said Court; and that all such Deeds and Conveyances in Writing (Letters Patent only excepted) of, touching, or concerning the Premises, as shall be made and executed beyond the Seas, shall be acknowledged or proved in Manner as aforesaid, before one of the Justices of the King's Bench and Common Pleas, or before the Chief Magistrate or Officer of the Land, Island, or Place where such Deed or Conveyance shall be executed.

Register Office
where to be kept,
and by whom
managed.

Register to con-
tinue in Office
as long as he de-
means himself
well.

Upon a Vacancy
Register to be
appointed by
Commander in
Chief, with the
Consent of the
Council and As-
sembly.

Upon the Death
of Register, an-
other to be ap-
pointed.

Place of deceased
Register how to
be supplied till
another is elect-
ed.

In what Manner
Deeds, &c. are
to be registered.

Certificate of
Register allowed
as Evidence.

Day, Hour, &c.
to be entered in
the Margin of
the Registries.

Calendar to be
kept.

Register to be
sworn,

VI. AND for settling and establishing a certain Method, with proper Rules and Directions for registering such Deeds, Conveyances, and Wills, as aforesaid; be it, and it is hereby further Enacted, by the Authority aforesaid, That one public Office for registering such Deeds, Conveyances, and Wills, of and concerning the Premises, shall be established and kept in the Town of *Basseterre*, in the said Island; which said Office shall be managed and executed by *Nicholas Bland*, of the said Island, Esquire, or his sufficient Deputy, for so long Time as he shall well demean himself therein; and from and after the Death, Surrender, or Forfeiture, of the said *Nicholas Bland*, the said Office shall be managed and executed by a fit and able Person, to be from Time to Time elected and appointed in the Manner hereinafter directed, or his sufficient Deputy, and to continue likewise in the said Office for so long Time as he shall well demean himself therein: And that all Elections of a Register, at any Time hereafter to be made or appointed by virtue of this Act, shall be made by the Chief Governor, or Commander in Chief of the said Leeward *Charribbee* Islands for the Time being, by and with the Approbation and Consent of the Council and Assembly of the said Island; and the Person so elected and appointed by the said Chief Governor, or Commander in Chief for the Time being, by and with the Approbation and Consent of the said Council and Assembly, by virtue of this Act, as aforesaid, shall be declared Register: And that when and as often as the said Office shall be vacant by the Death, Forfeiture, or Surrender of any such Register, the said Chief Governor, or Commander in Chief for the Time being, shall and is hereby obliged and required, upon the first Notice after such Death, Forfeiture, or Surrender, by and with the Advice of the said Council and Assembly, to elect and appoint a fit and able Person for a succeeding Register, in Manner as aforesaid; and the Person so elected, publicly to declare Register.

VII. AND be it further Enacted, by the Authority aforesaid, That upon the Death of any such Register, and until another Election of a Person to execute that Office shall be made in Manner as aforesaid, the Executors or Administrators of the Register deceased, together with the Sureties of the said Register, or their Executors or Administrators, shall appoint a proper Person to execute the Office of Register; for whose Demeanor in the Execution of the said Office, the Sureties given for such Register deceased shall be liable.

VIII. AND be it further Enacted, by the Authority aforesaid, That the said Register shall indorse a Certificate on every Deed, Conveyance, and Will, and therein mention the certain Day, Hour, and Time in which such Deed, Conveyance, and Will is so entered and registered, expressing also in what Book, Page, and Number the same is entered; and that the Register, or his Deputy, shall sign the said Certificate so indorsed; which Certificate shall be taken and allowed as Evidence of such respective Registries in all Courts of Record within this Island; and that every Page of the Register Books, and every Deed, Conveyance, and Will that shall be entered therein, shall be numbered, and the Day of the Month, and the Day, Hour, and Time of the Day, when every Deed, Conveyance, and Will, is registered, shall be entered in the Margent of the said Register Books, and of the said Deeds, Conveyances, and Wills; and that every such Register shall keep a Calendar, referring to every Deed, Conveyance, and Will, that concerns any Messuages, Lands, Tenements, Hereditaments, Negroes, or other Slaves, within the said Island, and of the Names of the Parties mentioned in the said Deeds, Conveyances, and Wills; and that the said Register shall duly file every such Deed, Conveyance, and Will, in Order of Time, as the same shall be brought to the said Office, and enter or register the said Deeds, Conveyances, and Wills, in the same Order that they shall respectively come to Hand.

IX. AND be it further Enacted, by the Authority aforesaid, That every such Register, before he enter upon the Execution of his Office, shall be sworn before the Chief Governor, Lieutenant Governor, or President of the Council, who are hereby impowered and required to administer the said Oath in these Words:

Y O U shall truly and faithfully perform and execute the Office and Duty that is directed and required by an Act of this Island, intituled, An Act against covinous and fraudulent Conveyances; and for a public Registry in the Island of St. Christopher; in registering Deeds, Conveyances, and Wills, within the same, so long as you shall continue in the said Office.

So help you God.

And before he
enters upon his
Office,

And that when and as often as the said Register shall appoint any Deputy to execute the said Office, such Deputy shall, before he enter upon the Execution thereof, take the said Oath appointed to be taken by the said Register, before the said Chief Governor, Lieutenant Governor,

vernor, or President of the Council, who are hereby impowered and required to administer such Oath: And that every Register, at the Time of his being sworn into the said Office, shall also enter into a Recognizance, with Two or more sufficient Sureties, to be approved of by the said Chief Governor, or Commander in Chief for the Time being, and the Council and Assembly of the said Island, before one of the Justices in the Court of King's Bench in the said Island for the Time being, of the Penalty of Two thousand Pounds, unto His Majesty, His Heirs and Successors, conditioned for his true and faithful Performance of his Duty in the Execution of his said Office: And if any Person or Persons shall or may happen to be aggrieved, or suffer any Wrong or Damage by the Register for the Time being, or his Deputy, contrary to the true Intent and Meaning of this Act; such Person or Persons shall and may, in the King's Majesty's Name, bring a Writ of *Scire facias* against the said Register, his Executors or Administrators, upon the aforeaid Recognizance, returnable in the Court of King's Bench and Common Pleas in this Island; to which said *Scire facias* the Register, his Executors or Administrators, shall be obliged to plead, and come to Issue in the Second Court after the Date of such Writ, otherwise Judgment shall be given against him or them, as by *Nihil dicit*; and then a Writ from the Chief Justice of the said Court, or, in his Absence, the next Justice in Commission, shall be directed to the Provost Marshal, or his lawful Deputy, to enquire, by Twelve good and lawful Men of the said Island, of the Damages sustained by the Person or Persons prosecuting such Writ; and upon the Return of the same Inquisition, Judgment shall be given for treble the Value of the Damages so found by such Jury; which Damages, when levied, shall go and be paid by the Provost Marshal of the said Island, or his lawful Deputy, to the Party so found to be grieved.

1727.

to give Security,

in £.2000.

Persons aggrieved by the Register, now redressed.

Writ of Enquiry to issue.

X. AND be it further Enacted, by the Authority aforeaid, That every such Register, or his sufficient Deputy, shall give due Attendance at his Office every Day in the Week, (except *Sundays* and Holy-days) between the Hours of Seven and Twelve in the Forenoon, for the Dispatch of all Business belonging to the said Office; and that every such Register, or his Deputy, as often as required, shall make Searches concerning all Deeds, Conveyances, and Wills, that are registered, as aforeaid, and give Certificates concerning the same under his Hand, if required by any Person.

To attend from 7 to 12 o'Clock in the Forenoon.

XI. AND be it further Enacted, by the Authority aforeaid, That if any such Register, or his Deputy, shall enter or register any Deeds or Conveyances which shall or may affect any Lands, Tenements, Hereditaments, Negroes, or other Slaves within this Island, before the same shall be acknowledged or proved in Manner as before in this Act is directed, or shall neglect to perform his or their Duty in the Execution of the said Office, according to the Rules and Directions in this Act mentioned; or commit, or suffer to be committed, any undue or fraudulent Practice in the Execution of the said Office, and be thereof lawfully convicted; then the said Register shall forfeit his said Office, and pay treble Damages to every such Person or Persons as shall be injured thereby; to be recovered by such Writ of *Scire facias*, as aforeaid, to be brought upon the aforeaid Recognizance; and in Case such Recognizance shall fall short of the Damages so sustained by such Person or Persons, that then such Person or Persons shall and may recover the Residue of his or their Damages against such Register, his Executors or Administrators, by Action of Debt, Bill, Complaint, or Information in any of His Majesty's Courts of Record within the said Island, wherein no *E Toign*, Protection, Privilege, or Wager of Law shall be allowed, or any more than one Imparlance.

Penalty on Register's Neglect of Duty.

How to be recovered.

XII. PROVIDED nevertheless, and it is hereby Enacted and Declared, That if any Person or Persons, appointed or to be appointed Register, by virtue of this Act, shall happen to die, or do, or shall surrender the said Office; that then, and in such Case, if no Misbehaviour appear in such Register, in the Execution of his said Office, within two Years after such Death or Surrender, the Recognizance so to be entered into by such Register, shall from thenceforth cease, determine, and be absolutely void, to all Intents and Purposes whatsoever, as if the same had never been entered into, acknowledged, or made; any thing hereinbefore contained to the contrary thereof in any-wise notwithstanding.

Recognizance to be put in Suit within 2 Years after Death or Surrender of the Register.

XIII. AND be it further Enacted, by the Authority aforeaid, That the Person to be nominated, as aforeaid, upon the Death of any Register, to execute the said Office during the Time the same shall be vacant, as aforeaid, shall, before he enter upon the Execution thereof, take the Oath hereinbefore appointed to be taken by such Register, and his Deputy, before the said Chief Governor, Lieutenant Governor, or President of the Council, who are hereby impowered to administer the said Oath; and that if any such Person so nominated, shall be lawfully convicted of any Neglect, Misdemeanor, or fraudulent Practice, in the Execution of the said Office, during such Vacancy, he shall be liable to pay treble Damages to every Person that shall be injured thereby; to be recovered as aforeaid.

Persons supplying deceased Register's Place, to take the Oaths, &c.

To pay treble Damages to all Persons injured.

XIV. PROVIDED always, and it is hereby Enacted, That all Wills that shall be registered in Manner as aforeaid, within the Space of Three Calendar Months after the Death

Clause relating to the Registry of Wills.

1727.

of every respective Devisor or Testator dying within this Island; or within the Space of Two Years after the Death of every respective Devisor or Testator, dying upon or in any Parts beyond the Seas, shall be as valid and effectual against subsequent Purchasers, as if the same had been registered immediately after the Death of every such respective Devisor or Testator; any Thing hereinbefore contained to the contrary thereof in any-wise notwithstanding.

Proviso. Saving the Rights of Devisees, where a Will is contested, or Ordinary absent from the Island.

XV. PROVIDED always, That the Devisee, or Person or Persons interested in the Messuages, Lands, Tenements, Hereditaments, Negroes, or other Slaves, devised by any such Will, as aforesaid, by Reason of the contesting such Will, or the Absence of the Ordinary, or Deputy Ordinary; from the said Island, or other inevitable Difficulty, without his or their wilful Neglect or Default, shall be disabled to exhibit the said Will for the Registry thereof within the respective Times hereinbefore limited; then, and in such Case, the Registry of the Will within the Space of Six Months next after his or their Attainment of such Will, or Removal of the Impediments whereby he, she, or they are disabled or hindered to exhibit such Will; shall be a sufficient Registry within the Meaning of this Act; any Thing hereinbefore contained to the contrary in any-wise notwithstanding.

Register's Fees.

XVI. AND be it further Enacted, by the Authority aforesaid, That every such Register shall be allowed for the Entry of every such Deed, Conveyance, and Will, or any other Instrument of Writing whatsoever; that may or shall be registered in the said Office, or for Copies thereof when demanded, for every hundred Words, one Shilling and six Pence current Money; for searching the Register Books for any Deed, Conveyance, or Will, or for each Instrument searched for, four Shillings and six Pence of like Money; for a Certificate of the registering of any Deed, Conveyance, or Will, &c. four Shillings and six Pence of like Money.

Public Act.

XVII. AND that this Act shall be taken and allowed in all Courts in this Island as a public Act; and all Judges, Justices, and Juries are to take Notice thereof, without specially pleading the same.

Proviso.

XVIII. PROVIDED always, and it is nevertheless hereby Declared, That nothing in this Act contained shall be of any Force or Effect whatsoever, until His Majesty shall have signified and declared His Royal Assent thereto.

No. 70.

Amended by an Act passed in the Year 1733. Vid. No. 89.

An Act for regulating Vestries, and erecting into Parishes those Parts of this Island formerly belonging to the French; and for annexing other Parts of the said French Lands to the Parishes of St. Mary, Cayon, St. John, Cabesterre, St. Anne, Sandy-Point, and Trinity, Palmeto-Point: And for repealing two Acts of this Island (one made in the Tenth Year of the Reign of Her late Majesty Queen ANNE, and the other in the Ninth Year of His late Majesty King GEORGE) for regulating Vestries in this Island; and for ascertaining the Bounds of every respective Parish in this Island.

Preamble. Reciting that by the Treaty of Utrecht, the whole Island was ceded to His Majesty.

WHEREAS, by the Treaty of Peace and Friendship concluded at *Utrecht*, on or about the thirty-first Day of *March*, One thousand seven hundred and thirteen, between our late Sovereign Lady Queen ANNE, and LEWIS the Fourteenth, the late Most Christian King, it was agreed (amongst other Things) That this whole Island should be possessed for ever thereafter alone by *British* Subjects; since which Time, as well as by Conquest before, this whole Island became Part of the Domain of the Crown of *Great-Britain*: And whereas an Act of this Island was made, and dated the ninth Day of *March*, One thousand seven hundred and twenty two-three, intituled, *An Act for regulating Vestries, and for erecting into a Parish Part of the Quarter of this Island, called Basseterre Quarter, by the Name of the Parish of St. George, Basseterre; and for repealing an Act of this Island, intituled, An Act for regulating Vestries, passed in the Tenth Year of Her late Majesty's Reign; and for annexing other Parts of the said Quarter to the respective Parishes of St. Mary, Cayon, and Trinity, Palmeto-Point: And also one other Act was made, and dated the twenty second Day of June, One thousand seven hundred and twenty four, intituled, An Act for erecting into a Parish Part of the Quarter of this Island, called Cabesterre Quarter, by the Name of the Parish of St. Paul, Cabesterre; and for enlarging the two Parishes of St. Anne, Sandy-Point, and of St. John, Cabesterre, within the said Island; which Act should have Continuance, or be in Force no longer than until an Alienation, or other final Disposition should be made of the Lands in the said Quarter, by His then Majesty, His Heirs or Successors: And whereas, by a Commission from His late Majesty King GEORGE the First, dated at St. James's the Fourth Day of June, One thousand seven hundred and twenty six, His said late Majesty*

Act of 1722-3, No. 53.

Act of 1724, No. 65.

A Commission from His Majesty dated 1726.

Majesty was pleased to declare His Resolution for the final Disposal of that Part of His Domain, the late *French* Quarters of St. *Christopher's*; and thereby the aforesaid recited Acts which concern or relate to the said Quarters of this Island, late *French*, are become void and expired: And whereas it is highly necessary, that the said respective Parts of this Island, late *French*, should be under the like Parochial Regulations, as the *English* Part; therefore We, Your Majesty's most dutiful and loyal Subjects, the Commander in Chief of all Your Majesty's Leeward *Charribbee* Islands in *America*, and the Council and Assembly of the Island of St. *Christopher*, do most humbly pray your Majesty that it may be Enacted; and be it, and it is hereby Enacted, by the King's Most Excellent Majesty, by and with the Advice and Consent of the Commander in Chief, Council, and Assembly aforesaid, and by the Authority of the same, That, from and after the Date of this Act the aforementioned Act for regulating Vestries, passed in the Tenth Year of Her late Majesty's Reign; and the aforesaid Act, passed the Ninth Day of *March*, in the Year of our Lord One thousand seven hundred and twenty two-three, intituled, *An Act for regulating Vestries, and for erecting into a Parish Part of the Quarter of this Island, called Basseterre Quarter, by the Name of St. George, Basseterre; and for repealing an Act of this Island, intituled, An Act for regulating the Vestries, passed in the Tenth Year of Her late Majesty's Reign; and for annexing other Parts of the said Quarter to the respective Parishes of St. Mary, Cayon, and Trinity, Palmeto-Point; and the aforementioned Act, passed the twenty second Day of June, One thousand seven hundred and twenty four, intituled, An Act for erecting into a Parish Part of the Quarter of this Island, called Cabesterre Quarter, by the Name of the Parish of St. Paul, Cabesterre; and for enlarging the two Parishes of St. Anne, Sandy-Point, and St. John, Cabesterre; within the said Island, be, and are hereby declared repealed, annulled, and void.*

1727.

The Acts 10th
Ann. & 9th Geo.
I. relating to
Vestries repealed

II. AND be it, and it is hereby further Enacted, by the Authority aforesaid, That from and after the Date of this Act, the whole of this Island shall be, and is hereby divided into nine Parishes; each of the said Parishes to be named and bounded, as hereafter mentioned; that is to say, The Parish of St. *George, Basseterre*, to consist of, and to contain all that *Eastward* Part of this Island, bounded as is hereinafter expressed or described; that is to say, From the Sea-side, where the Gutt called *Gillew's* Gutt runs into the Sea, by a Line running *Northward* up the Wash of the said Gutt to the Top of the Mountains, thence running *Eastwardly* along the Top of the said Mountains, to take in the Plantation at present possessed by *Mathew Mills*, Esquire, and the Executors of *Richard Holmes*, Esquire, deceased, and so continuing still *Eastwardly* along the divided Line between the Plantation possessed by *Tobias Wall*, Esquire, and Mr. *George Tayler*, junior, and so continuing *Eastwardly* on the Line dividing the Plantations in Possession of Mr. *William Woodley*, senior, Mr. *Christopher Stoddart*, Mr. *John Seaborn*, and *Peter Thomas*, Esquire, thence continuing in a straight Line due *North* to the Sea-shore, thence along the said Sea-shore, *Eastwardly* to the *North-West* Foot of *Sir Timothy's* Hill, and thence along the Leewardmost Foot of the said Hill to the Sea-shore, and thence to *Gillew's* Gutt aforesaid: The Parish of St. *Peter, Basseterre*, to consist of, and to contain all that Part of this Island bounded to the *Southward* and *Eastward* with the Parish of St. *George, Basseterre*, aforesaid; to the *Northward*, with the Sea-shore, including the Plantation in Possession of *John Greatheed*, and *William M'Dowall*, Esquires, so pursuing *Westwardly* the Bounds of the Lands in Possession of the said *William M'Dowall*, and running by the dividing Lines which separate the Plantations in Possession of *Richard Halloran*, *Margaret Bridgwater*, and *Sarah Browne*, *Robert Cunyngnam*, *John Spooner*, Esquires, and Mr. *Richard Wilson*; to the *Northward*, from the Plantation in Possession of *Lady Stapleton*, *Timothy Hare*, Esquire, *Thomas Bridgwater*, Esquire, Mrs. *Mary Simmonds*, and Mr. *Charles Lowndes*, and so along the Tops of the Mountains along the old *French* dividing Line, till it comes at the Head of the Plantations in Possession of *Mathew Mills*, Esquire, to the Bounds of the Parish of St. *George, Basseterre*, aforesaid: The Parish of St. *Mary, Cayon*, to consist of, and contain all that Part of this Island bounded to the *Northward* with the Sea-shore; to the *Eastward*, with the Parish of St. *Peter, Basseterre*, aforesaid; to the *Southward*, with the said Parish of St. *Peter, Basseterre*, on a Centre, *East* and *West* Line, in the Mountains which divides it from the Parishes of St. *George, Basseterre*, aforesaid, and *Trinity, Palmeto-Point*, hereafter mentioned; to the *Westward*, with the Gutt called *Soldier's* Gutt, from the Sea shore, running up to the Foot of *Duport's* Island, so along the said Gutt to the Top of the Mountains, excluding the said Island from this Parish: The Parish of *Christ Church, Nichola-Town*, to consist of, and contain all that Part of this Island bounded to the *Northward* with the Sea-shore; to the *Eastward*, with the Parish of St. *Mary, Cayon*, aforesaid; to the *Southward*, with a Centre, *East* and *West* Line, through the Mountains dividing this Parish from the Parish of St. *Thomas, Middle-Island*, hereinafter mentioned; and to the *Westward*, with St. *George's* Gutt, from the Sea to *Bonana* Gutt, which divides *Taylor's* Island, and *Bevon's* Island: The Parish of St. *John, Cabesterre*, to consist of, and to contain all that Part of this Island bounded to the *Northward* with the Sea; to the *Eastward*, with the Parish of *Christ Church, Nichola-Town*; to the *Southward*, with

The Island divided into nine Parishes.

Boundaries of St. George, Basseterre.

The Boundaries as here made are altered by No. 89.

St. Peter, Basseterre.

St. Mary, Cayon.

Christ Church, Nichola-Town.

St. John, Cabesterre.

1727.

St. Paul, Cabe-
sterre.St. Anne, Sandy-
Point.St. Thomas,
Middle Island.Trinity, Palmetto-
Point.Six Vestrymen
& Church-War-
dens to be chosen
yearly in Easter-
week;who are to chose
one Church War-
den, and the Mi-
nister another.Vestrymen and
Church-Wardens
or a Majority, to
manage all Paro-
chial Business, to
settle Fees of the
Minister, &c.
and to build and
repair Churches.Rates, Fees, and
Salaries not to
continue longer
than the Persons
making them
continue in Of-
fice.
Justices to levy
Rates upon the
Goods of Persons
refusing to pay
the same.Goods to be sold
Ten Days after
levied on,Persons over-ra-
ted to be relieved

with an *East* and *West* Centre Line through the Mountains, dividing this Parish from the Parish of *St. Thomas, Middle-Island*, and *St. Anne, Sandy-Point*, hereafter mentioned; and to the *Westward*, with a Line running from the said Centre Line in the Mountains, *Northwardly*, to the Sea-shore, to include within this Parish the Plantations in Possession of Major *Peter Buor*, Mr. *James Millard*, and the Plantation lately in Possession of Colonel *John Hamilton*, deceased: The Parish of *St. Paul, Cabesterre*, to consist of, and to contain all that Part of this Island bounded to the *Northward* and *North West*, with the Sea-shore; to the *Eastward* and *North East*, with the Parish of *St. John, Cabesterre*; to the *Southward*, with a Line running from the Centre Line in the Mountains afore said, to the Sea-shore, including in this Parish the Plantations in Possession of *Anthony Fabie*, and *Ashton Warner*, Esquires, and the Plantation of *Jeremiah Browne*, Esquire, whereon he now lives: The Parish of *St. Anne, Sandy-Point*, to consist of, and to contain all that Part of this Island bounded to the *Northward* and *Westward*, with the Parish of *St. Paul, Cabesterre*, afore said, and the Centre Line in the Mountains afore said, which divides this Parish from the Parish of *St. John, Cabesterre*, afore said, and with the Sea-shore; to the *Southward*, with the Sea-shore; and to the *Eastward*, with *Sandy-Point* Gutt: The Parish of *St. Thomas, Middle-Island*, to consist of, and contain all that Part of this Island bounded to the *Westward* with the Parish of *St. Anne, Sandy-Point*; to the *Northward*, with the Centre Line in the Mountains afore said, which divides this Parish from the Parish of *Christ Church, Nichola-Town*, afore said; to the *Southward*, with the Sea-shore; and to the *Eastward*, with *Stone's Fort* Gutt, from the Sea to the Top of the Mountains, taking into this Parish all the Land in the Possession of *John Garnett*, Esquire, and Mr. *John Maddox*, known by the Name of *Betts's Level*: The Parish of *Trinity, Palmetto-Point*, to consist of, and contain all that Part of this Island bounded *Westward* with the Parish of *St. Thomas, Middle-Island*, afore said; to the *Southward*, with the Sea-shore; to the *Eastward*, with the Parish of *St. George, Basseterre*, afore said; and to the *Northward*, with the Centre Line in the Mountains afore said, which divides this Parish from the Parish of *St. Mary, Cayon*, afore said.

III. AND be it further Enacted, by the Authority afore said, That all and every of the Freeholders and Householders within this Island shall repair to their respective Parish Churches, and for want of the same, to such Place or Places as shall be appointed by the respective or neighbouring Justices of each Parish, or by Notice the *Sunday* before given in Church, during the Time of Divine Service, by the Minister, every Year successively, some Day in *Easter-week*, and by free Votes elect six of the ablest Freeholders or Household-ers in each Parish, to serve as Vestrymen; who, with the Minister, shall then and there choose out of the remaining Parishioners afore said, two fit Persons to serve as Church-Wardens, one to be elected or nominated by the Vestry, the other by the Minister.

IV. AND be it Enacted, by the Authority afore said, That they the Vestrymen and Church-Wardens, or the major Part of them, have hereby full Power and Authority to manage all Business of the said Parishes respectively, to settle Rules, and assess Rates, for the defraying Parish Charges, and to settle additional Salaries, and all the Fees and Perquisites of the Minister, Clerk, and Sexton; and to build, erect, and repair Churches, out of the Fund so raised by them; and to discharge and perform all other Duties, in behalf of their said Parish, belonging to their said Offices, and the Trust reposed in them.

V. PROVIDED always, That such Rates, Fees, and additional Salaries, be not made or settled by them, to continue longer than during the Time which the Persons so making the same shall continue in their respective Offices: And in Case of any Person's refusing to pay his Proportion of the said Rates upon a reasonable Demand, any two Justices of the Peace, upon Complaint thereof to be made by the Church-Wardens, shall and may issue a Warrant under their Hands and Seals, directed to the Provost Marshal, or his Deputy, commanding him to summon such Person or Persons to appear before them at a certain Time and Place in such Warrant to be appointed, to answer for such his Refusal; and in Case such Person or Persons shall not appear according to such Summons, or appear, and fail in making out that he, she, or they hath or have paid his, her, or their full Proportion of the Rates or Assessments on him, her, or them to be laid, as afore said; then the Justices afore said shall issue a Warrant under their Hands and Seals, directed to the Provost Marshal, or his Deputy, commanding him to levy the said Rates or Assessments, or the Arrears thereof, which shall be proved to be due before such Justices, by the Oath of the Church-Warden, or other satisfactory Proof, on the Goods and Chattels of the Person or Persons so refusing; which said Provost Marshal, or his Deputy, is hereby required and enjoined to execute the same within ten Days after his receiving thereof; and whatsoever Goods shall be attached, as afore said, at the Expiration of ten Days after the Attachment, shall be sold at public Outcry at the nearest Town, by the said Provost Marshal, or his Deputy; and if there be any Overplus, the same shall be returned to the Owner thereof.

VI. PROVIDED nevertheless, that it is the true Intent and Meaning of this Act, That any Person or Persons whatsoever, who shall think themselves aggrieved, or unjustly dealt with,

with, in the ascertaining his or their Share or Proportion of such Tax or Rate; the Person or Persons so aggrieved may, at any Time within six Days after such Goods shall be so attached, give Notice to the Church-Wardens procuring the same, and making the Rate or Order for such Assessment, that he intends to move the Court of King's Bench and Common Pleas in this Island at their next Sitting, to quash the same; which said Court is hereby authorized and empowered to hear and examine the same, and to make such Order therein as they shall think fit; and upon the said Party's having entered into a Recognizance to the Church-Wardens of the said Parish with one or more sufficient Sureties, before any of the Justices of the said Court, to abide by, and perform such Order as shall be made by the said Court, upon such Notice, such Justice shall and is hereby required to grant a *Superfedeas* to be directed to the Provost Marshal, or his Deputy, who has attached such Goods, commanding him to cease from any further proceeding in the Sale thereof, and to restore the same to the Parties from whom they were taken: And in case the Parties attached upon shall neglect to move the Matter to the said Court at their next Sitting or the Matter upon hearing thereof shall be adjudged against him, he shall be adjudged by the said Court to pay to the Church Wardens double Costs for his Vexation and Delay.

1727.

by the Court of King's Bench & Common Pleas.

Superfedeas to issue to Provost Marshal upon Party giving Security.

Double Costs.

VII. AND be it further Enacted, by the Authority aforesaid, That the Provost Marshal, or his Deputy, refusing or neglecting to do his Duty, as enjoined by this Act, shall forfeit the Sum of Five Pounds current Money of this Island; to be recovered by the Churchwardens in an Action of Debt, in any Court of Record in this Island, wherein no Essoign, Protection, or Wager of Law shall be allowed of: And all Fines and Forfeitures to be levied by virtue of this Act, shall be paid to the Church Wardens of each respective Parish for the Time being, who by and with the Advice and Consent of the respective Vestries, shall apply the same towards defraying the public Charges of the said Parish.

Penalty on Provost Marshal's Neglect of Duty.

How to be recovered and applied.

VIII. AND be it further Enacted, by the Authority aforesaid, That any former Act or Acts for regulating Vestries, be, and is and are hereby repealed.

All former Vestry Acts repealed.

IX. AND whereas, for want of a Minister in several Parishes, Church Wardens and Vestrymen have not been hitherto regularly chosen in *Easter-week*, and it may chance hereafter to be neglected on the like Occasions; be it therefore Enacted, by the Authority aforesaid, That all Church Wardens and Vestrymen now acting as such in their several Parishes, as well those who were, as those who were not chosen on *Monday* in *Easter-week*, be fully confirmed in all the Powers and Authorities granted by this Act, and continue to act as such; and to collect all Levies and Assessments already laid or assessed, until *Easter-week*, when a new Election shall be: And in case the Parishioners shall hereafter in *Easter-week* neglect to choose a new Vestry, the Vestry for the foregoing Year shall continue a Vestry for the Year succeeding: And if a Minister shall be at any Time presented to a Parish where there shall happen to be no Church Wardens or Vestrymen ready chosen, and in default thereof on any other Occasion; then shall all and every the Freeholders and Householders within the said Parish, upon Notice or Summons to be given them, by Warrant of a Justice of Peace, forthwith proceed to the Election and Nomination of a Vestry and Church Wardens; and the Persons so chosen, shall remain in such Office until the *Easter* after.

Former Church Wardens confirmed in their Offices.

The old Vestry to serve if a new one is not chosen.

If a Minister be appointed to a Parish where there is no Vestry, Justice of Peace to issue a Warrant, &c.

X. AND be it further Enacted, by the Authority aforesaid, That in every Parish Church shall be kept two large bound Paper Books, for the public Service of the said Parish; one whereof shall be kept for the Parish Accounts by the Church Wardens; the other, as a Register for Christenings, Marriages, and Funerals, to be kept in the said Parish by the Ministers only; and the Church Wardens are, and shall be obliged to deliver up and balance their Accounts with the Gentlemen of the Vestry, at their being discharged of the said Office, under the Penalty of Fifty Pounds current Money, to be levied and applied as herein before directed; and shall also at the same Time, and under the Penalty of One hundred Pounds (to be levied and applied as aforesaid) deliver to their Successors all the Parish Books, fair, intire, and undefaced, or as intire and undefaced as the same shall be when first delivered to, or received by them.

Register to be kept of Marriages, Christenings, &c.

Penalty on Church-Wardens refusing to deliver in their Accounts, &c.

Church Wardens to deliver Parish Books to his Successor.

XI. AND be it further Enacted, by the Authority aforesaid, That the Church Wardens of any Parish are and shall hereby be obliged to lay before the respective Vestries their Accounts, as aforesaid, if, and whenever thereunto required by the Vestry, under the further Penalty of Fifty Pounds for each of them; to be levied and applied as herein before directed.

To lay the same before the Vestry, whenever required.

XII. AND be it further Enacted, by the Authority aforesaid, That no Person shall be compelled to serve as Church Warden longer than one Year successively, from the Time of their being elected by a succeeding Election: And whatsoever Default shall be made by any Church Wardens, in collecting all and every the Rates and Assessments to be made by the respective Vestries, by the Space of sixty Days after the same shall become due and to be paid, the same shall be made good by them, or either of them so neglecting.

Not compelled to serve longer than one Year.

XIII. AND be it further Enacted, by the Authority aforesaid, That every Parson or Minister presented to any Parish within this Island, shall and may, yearly and every Year,

Minister's Salary.

1727.

demand and receive from the Inhabitants of the said Parish a Sum, or Quantity of Sugar not less than sixteen thousand Pounds of Sugar, and any further Sum hereby afore allowed to the several Vestries to settle upon him.

and Allowance
for House-rent,
where there is no
Parsonage
House.

XIV. AND be it further Enacted, by the Authority afore said, That every Parson or Minister presented to any Parish within this Island, shall and may, yearly and every Year, where no Parsonage House is by the Parish built and provided, demand and receive in lieu thereof, from the Inhabitants of the said Parish, a Sum not less than Twenty five Pounds current Money of this Island, or the Value thereof in Sugar, at the Price current, provided he resides in the said Parish.

On Default of
paying the same,
Justices may dis-
train on the
Church Wardens.

XV. AND be it further Enacted, by the Authority afore said, That in case of Default of Payment to the Minister of any Parish within this Island, of the said yearly Sum of sixteen thousand Pounds of Sugar, or twenty five Pounds afore said; or any additional Salary, or of any Part thereof, for the space of two Months after the same shall become due, to be settled by the respective Vestries afore said; it shall and may be lawful for two Justices of the Peace, upon complaint to them made, to issue their Warrant under their Hands and Seals, directed to the Provost Marshal of this Island, or his lawful Deputy, commanding him to summon the Church Warden or Church Wardens, who ought to collect and pay the same, to appear before them at a Time and Place therein to be specified, to answer for such Default of Payment; and in case the Church Wardens shall not appear on such Summons, or on Appearance shall not make appear, that the Minister complaining is fully paid; and if the said Church Wardens shall, or, without their wilful Default or Neglect, might have sufficient in their Hands to pay the same; then it shall and may be lawful for two Justices of the Peace to issue their Warrant under their Hands and Seals, directed to the Provost Marshal, or his lawful Deputy, thereby commanding him to levy on the Goods and Chattels of the said Church Wardens such Sum or Sums of Money, or Quantities of Sugar, as the Minister complaining shall, by his Oath, or other due Proof, make appear before the said Justices to be justly due to him; and in Arrear for Salary or House-rent afore said, and also for the Fees of such Prosecution; which Warrant last mentioned the Provost Marshal is hereby required to execute in ten Days after receipt thereof, and to sell the Goods and Chattels thereby to be levied on, in ten Days after, at the nearest Town, giving Notice thereof to the Person or Persons levied on, and pay the Minister his Dues within ten Days after such Sale, and the Fees of such Prosecution, and then return the Overplus, if any, to the Person levied on, on pain of forfeiting Twenty Pounds to the Minister in such Warrant named; to be recovered in any of His Majesty's Courts of Record, by Bill, Plaint, or other Action, wherein no Essoign, Protection, or Wager of Law shall be allowed.

Proviso.
May appeal to
the Court of
King's Bench,
&c.

XVI. PROVIDED always, that if the said Minister or Church Wardens shall think themselves aggrieved by the Sentence or Order of the afore said Justices, it shall and may be lawful for him or them to appeal to the Courts of King's Bench and Common Pleas, who are hereby empowered to hear and re-examine the same, and to make such Order therein as they shall think fit.

Minister and
Church Wardens
to summon the
Vestrymen.

Vestrymen not
attending to for-
feit 20s.

How to be levied.

and applied.

XVII. AND be it further Enacted, by the Authority afore said, That the Minister or Church Wardens, or either of them, have hereby full Power, as Occasion shall require, to summon and convene at the Parish Churches, or Place appointed, as afore said, the respective Vestrymen, to debate and consult about the Parish Affairs: And whatsoever Vestryman, Church Warden, or other Officers required to appear, Notice being given at his or their Houses, or in Church, as afore said, shall fail to meet accordingly, such Excuse not being given or sent as the Minister and Vestry shall approve or allow of, shall forfeit Twenty Shillings; to be levied by Warrant of Distress from the next Justice of Peace, to be directed to the Provost Marshal, or his Deputy, who, under the Penalty of Forty Shillings, is hereby enjoined within a reasonable Time to execute the same; which Penalty shall be applied to the Use of the Poor of such Parish, the said Provost Marshal, or his Deputy, to be allowed one third Part for his Trouble; and in case of Refusal to pay the said Fine, then the said Vestryman to be committed to the common Gaol by the said Warrant, until he shall pay the same.

Penalty on Per-
sons refusing to
serve as Vestry-
men or Church-
Wardens,

XVIII. AND be it further Enacted, by the Authority afore said, That whatsoever Person shall duly be elected either for Vestrymen or Church Wardens, and shall refuse to serve in the said Capacity, he or they so refusing shall forfeit the Sum of Twelve Pounds current Money of this Island; to be recovered by the Church Wardens, in an Action of Debt in any Court of Record in this Island, which shall be for defraying of the public Charge of the said Parish, wherein no Essoign, Protection, or Wager of Law shall be allowed of.

and on Inhabi-
tants refusing to
make a Return
of their Stock,
&c. when requi-
red.

XIX. AND be it further Enacted, by the Authority afore said, That any Inhabitant in any Parish neglecting or refusing, when thereto required by any Justice of the Peace, to make a due Return upon Oath, according to the best of his Knowledge, of the Number of Slaves, or Quantity of Land by them possessed, by Direction of any Vestry, for paying any

any Parish Levy; such Inhabitant so neglecting or refusing shall forfeit for each Refusal or Neglect, the Sum of Ten Pounds current Money; to be levied by Warrant under the Hand and Seal of the said Justice, directed to the Provost Marshal, or his Deputy, in Manner as hereinbefore directed.

1727.

XX. AND be it, and it is hereby further Enacted, by the Authority aforesaid, That all and every Officer and Officers, his and their Deputy or Deputies, Agents, and Servants, and his and their Executors and Administrators, who shall be prosecuted at Law in any of His Majesty's Courts in this Island, for doing or executing any Duty, Matter, or Thing required by this Act to be by him or them done or executed; shall and may have Liberty in such Case to plead the General Issue, and give this Act and the Special Matter in Evidence, and the Judges of the said Courts in this Island are hereby enjoined and required to admit the same.

Persons sued,
may plead the
General Issue

XXI. AND be it further Enacted, by the Authority aforesaid, That every Minister in this Island shall duly enter into the bound Book to be delivered to them, as aforesaid, all Christenings, Marriages, and Funerals which shall happen in his respective Parish; for which he may have and demand a Fee of One Shilling and Six Pence, and no more; on pain of forfeiting for each Neglect of such Entry the Sum of Five Pounds; to be deducted out of the Salary due to the Minister so neglecting, by the Church Wardens of his Parish, and applied to the Use of the Poor of the same Parish.

Register of
Christenings,
&c. to be kept
in every Parish

William Malet
Esq. Governor

No. 71.

An Act to enable the several Parts of this Island, formerly belonging to the French, to choose and send Representatives to serve in the Assemblies for this Island; to declare and ascertain the Number of Representatives for the whole Island, what the Number each Parish shall elect, and the several Qualifications of the Electors and Candidates; to secure the Freedom of Elections: And for repealing an Act of this Island (dated the thirteenth Day of November, One thousand seven hundred and eleven) intituled, An Act for preserving the Freedom of Elections, and appointing who shall be deemed Freeholders and be capable of electing, or being elected Representatives.

WHEREAS, by Conquest of that Part of this Island formerly in Possession of the Subjects of the French King, and the Cession thereof to the Crown of Great Britain by the Treaty of Peace and Friendship between our late Sovereign Lady Queen ANNE, and LEWIS the Fourteenth, the late Most Christian King, concluded at Utrecht on or about the thirty first Day of March, in the Year of our Lord One thousand seven hundred and thirteen, *Old Style*; this whole Island became a Domain of the Imperial Crown of Great Britain: And whereas His Majesty's Subjects, now inhabiting the late French Part of this Island, are equal, if not superior to the Inhabitants of the English Part, both in Number and Property, and yield a greater Revenue to His Majesty, and contribute more largely to the Taxes, and other public Expences of this Island; it is therefore but just and reasonable that they should have a Share in the Legislature of the Island, and the Privilege of choosing an equal Number of Representatives in the Assembly: And His late Majesty King GEORGE the First having been pleased, by His Commission, dated at St. James's the fourth Day of June, One thousand seven hundred and twenty six, to declare His Resolution for the final Disposal of the said Parts of this Island, late belonging to the French; therefore we, Your Majesty's most dutiful and loyal Subjects, the Commander in chief of all Your Majesty's Leeward Charribbee Islands in America; and the Council and Assembly of this Your Island of St. Christopher, do most humbly pray that it may be Enacted; and be it, and it is hereby Enacted, by the King's Most Excellent Majesty, and by and with the Advice and Consent of the Commander in chief, the Council and Assembly aforesaid, and by the Authority of the same, That after the Expiration or Dissolution of this present Assembly, an Act of this Island, intituled, *An Act for preserving the Freedom of Elections; and appointing who shall be deemed Freeholders, and be capable of electing, or being elected Representatives* (dated the thirteenth Day of November, Anno Domini, One thousand seven hundred and eleven) is, and stands hereby repealed and annulled.

Act relating to
Elections repealed.

II. AND be it Enacted, by the Authority aforesaid, That all future Assemblies of this Island shall consist of four and twenty Representatives, fifteen of which at least shall be deemed a House to do Business.

Assemblies to
consist of 24
Members.

III. AND whereas by an Act of this Island (dated the twelfth Day of December, One thousand seven hundred and twenty seven) intituled, *An Act for regulating Vestries and for erecting into Parishes those Parts of this Island formerly belonging to the French King; for annexing other Parts of the said French Lands to the Parishes of St. Mary, Cayon, St. John, Cabbesterre,*

1727.

Representatives
how to be cho-
sen.

besterre, St. Anne, Sandy-Point, and Trinity, Palmeto-Point : And for repealing two Acts of this Island (one made in the tenth Year of Her late Majesty's Reign, and the other in the ninth Year of the Reign of His late Majesty King GEORGE the First) for regulating Vestries in this Island, and for ascertaining the Bounds of every respective Parish in this Island, the whole Island is divided into Parishes, and the Bounds of the same are respectively ascertained : Be it Enacted, That the said four and twenty Representatives shall be sent and chosen as follows; that is to say, the Electors of the Parish of St. George, Basseterre, or the major Part of them, shall and may choose and send four Representatives ; the Electors of the Parish of St. Peter, Basseterre, or the major Part of them, shall and may choose and send two Representatives ; the Electors of the Parish of St. Mary, Cayon, or the major Part of them, shall and may choose and send three Representatives ; the Electors of the Parish of Christ-Church, Nichola-Town, or the major Part of them, shall and may choose and send two Representatives ; the Electors of the Parish of St. John, Cabesterre, or the major Part of them, shall and may choose and send three Representatives ; the Electors of the Parish of St. Paul, Cabesterre, or the major Part of them, shall and may choose and send two Representatives ; the Electors of the Parish of St. Anne, Sandy Point or the major Part of them, shall and may choose and send three Representatives ; the Electors of the Parish of St. Thomas, Middle-Island, or the major Part of them, shall and may choose and send two Representatives ; and the Electors of the Parish of Trinity, Palmeto-Point, or the major Part of them, shall and may choose and send three Representatives.

Bounds of the fe-
veral Towns as-
certained. So
much of this
Clause as relates
to Basseterre is
Obsolete, as the
Town was en-
larged by an Act
passed in 1763,
Vid. No. 202.

IV. AND be it further Enacted, by the Authority aforesaid, That the Bounds of the several Towns of this Island are hereby ascertained, and shall be as follows ; that is to say, The Town of Basseterre shall be bounded to the East, with the Ditch of the old French Fort, and Lands already sold by the said Commissioners to Jane and Archibald Hamm, and Mr. Richard Hawkshaw ; to the Northward, with Lands already sold by the said Commissioners to the Reverend William Anderson, and to the said Richard Hawkshaw ; to the West, with the College Gutt or Wash, from the Land late in Possession of John Cade, now at present in Possession of the said Richard Hawkshaw, till it falls into the Sea ; and to the South, with the Sea : The Town of Old-Road bounded to the East, with the Windwardmost River ; to the North, with the Plantation belonging to the Heirs of Colonel Charles Mathew, deceased ; to the West, with the Leewardmost River ; and to the South, with the Sea : The Town of Sandy-Point bounded to the East, with the Eastwardmost Bounds of the Lands late in Possession of Mrs. Susannah Vanbell, deceased, and so running in a straight Line to the Sea ; to the North, with the upper common Path ; to the West, with the Gutt at the foot of Crab-hill ; and to the South with the Sea.

Qualifications of
Electors.

Ten Acres, of
Land.

or a House and
Land of the year-
ly Value of 10l.

How to be prov-
ed.

Clause relating
to Joint tenants.

V. AND be it further Enacted, by the Authority aforesaid, That every white Man professing the Christian Religion, being a free and natural-born Subject of the Crown of Great-Britain, or naturalized, or made a Denizen, and being a Protestant, having attained to the Age of one and twenty Years; that is to say, Who is actually seized or possessed of ten Acres of Land in Fee-simple or Fee-tail for Term of his own Life, or Term of another's, or by or under any Contract or Contracts with the Commissioners aforesaid, within any Parish of this Island, or of any Land in any of the said Towns in this Island having a House, Store House, or other Buildings erected thereon, of the clear yearly Value of ten Pounds *per Annum* at the least, which Value shall be proved by the Oath of two credible Witnesses, or by some Lease produced and proved by the Oath of one of the Witnesses to the same, or the Oath of the Lessee, if there present, shall be Electors, and are hereby declared capable of voting for, and electing Representatives ; that is to say, The Possessors of Land or Buildings, as aforesaid, for the respective Parish or Parishes where such Qualifications are situate.

VI. AND be it further Enacted, by the Authority aforesaid, That if it shall happen there shall be two or more Joint-tenants or Tenants in common, of a Parcel or certain Quantity of Land in any Parish of this Island, which Parcel of Land contains as many ten Acres, or more, as there are Joint-tenants, or Tenants in common, or which House or Houses, or other Buildings, shall be worth as many ten Pounds currency of this Island *per Annum*, as there are Joint-tenants, or Tenants in common, shall be deemed Electors, qualified to elect Representatives, to all Intents, Constructions, and Purposes of this Act whatsoever : And no Person or Persons, who shall not have for his Share ten Acres of Land, or in such House, Houses, or other Buildings, to the Value of ten Pounds *per Annum*, shall be esteemed a Freeholder or Voter, to any Construction or Purpose of this Act whatsoever.

Candidates and
Electors to be
two if required.

To answer all
questions touch-
ing their Free-
hold.

Any Person re-
fusing to answer

VII. AND be it further Enacted, by the Authority aforesaid, That all and every Person, who at any Election shall be set up as a Candidate, or tender himself as a Voter, shall, if thereunto required by the Person taking the Poll, or any other Elector or Freeholder, answer on Oath (which the Person taking the Poll is hereby impowered and required to administer) to all such Questions touching his Freehold or Qualifications as shall be demanded of him by the Person taking the Poll, or any Freeholder or Elector present; and any Person refusing so to do, shall be, and is hereby declared incapable and disqualified for that Time

of

of electing, or being elected: And also, every such Person offering himself as a Voter, or named as a Candidate, who had never voted before in that Parish, shall produce the next last Deed, Instrument, Conveyance, or Will, by which his Qualifications are derived or claimed, or an authentic or Office-copy of the same; except such Persons who are hereby qualified to elect and be elected by virtue of Contracts with the said Commissioners, who shall produce a Certificate of the Contract or Contracts, under which any Qualification is claimed by them, under the Hand of one of the said Commissioners, or by the Oath of the said Person; and any such Person refusing so, as aforesaid, to prove his Freehold or Qualification respectively, shall be deemed incapable to vote, and incapable of being elected.

VIII. AND be it further Enacted, by the Authority aforesaid, That no Person whatsoever at any Election of Representatives, shall be deemed a Freeholder, or qualified to elect, or be elected a Representative, who shall produce any Will, Bill of Sale, or other Conveyance of Lands, or other Estate, whereby he claims to be a Freeholder, in order to prove his Freehold or Qualification, unless the same be acknowledged or proved before the Governor for the Time being, or some Justice of the Court of Common-Pleas of this Island, and duly recorded, preceding the Date of the Writ or Writs for the electing Assemblymen; and who shall not, with the Person who sold and conveyed the said Freehold, provided the said Person be then and there present, make Oath before the Person, to whom the Writ of electing Representatives is directed (who is hereby authorized and required to administer the same, if any Voter or Candidate present require it, or he himself shall think meet) that such Deed or Deeds, so produced by him, is and are, *bonâ fide*, a real and absolute Deed or Deeds, according to the Purport thereof, without Covin or Fraud, and not made or executed unto him under Colour only, to make him capable to choose or be chosen a Representative; and that he is in actual Possession of the said Land, House, or other Buildings; and receives to his own Use all the Profits thereof, and is under no Promise or Obligation whatsoever, to give up or surrender the said Deed or Deeds, or the Lands or Tenements in the said Deed or Deeds sold or conveyed at any Time after he shall have voted or been elected; except nevertheless, such Person or Persons who claim to be Freeholders by any Deed or Deeds executed in *Great-Britain* or *Ireland*, or other Foreign Part, provided the same be recorded in the Secretary's or Register's Office in this Island; except such also, who claim by any last Will and Testament duly proved and recorded in the Secretary's or Register's Office of this Island: And the said Person to whom the Writ is directed, is further hereby impowered and required to ask such other Questions upon Oath, concerning the Freehold and Qualification of any Person offering to elect, or standing to be elected, of him or of the Person who sold and conveyed the Freehold, or other Qualification, as to him shall seem meet, or shall be required by any Voter or Candidate present.

IX. AND be it further Enacted, That if any Person offering to elect, or standing to be elected, shall refuse to take such Oath, or to answer such Questions, as aforesaid, the said Person so refusing shall absolutely be debarred from giving his Vote for electing, and from being elected a Representative for that Time.

X. AND be it further Enacted, by the Authority aforesaid, That all Writs for Elections of Assembly, shall be issued by the Governor, or Commander in Chief for the Time being, by and with the Consent of the Council, in the usual Form, and directed to the several Members of His Majesty's Council of this Island: And the Writs for taking the Votes at such Elections, shall be issued and directed as follows: the Writs for choosing Representatives for the Parish of *St. George, Basseterre*, shall be granted and directed to the President of the Council of this Island for the Time being, or next eldest Counsellor, who shall be then residing in this Island, and so successively; the Writs for each Parish as they are named, in this Act, shall be directed to each next Counsellor then residing in this Island; and in case of the Absence, Sickness, or other Disability of any of the said Counsellors, that there be not nine Counsellors residing in this Island who shall be able to attend the said Elections, then a second Writ shall be severally directed on the aforementioned Order, to as many of the eldest Counsellors as will be sufficient to take the remaining Elections; and that all such Writs shall be issued forth at least seven Days before the first Day of Election; and that the Electors residing in each respective Parish, shall have three Days Notice before each respective Election Day; and that each and every Member of the Council, to whom the Writs are directed for taking the Poll for electing Representatives, shall attend the Lieutenant-Governor, or President of the Council for the Time being, some Time before the Day of Election, and shall make Oath before him, which he is hereby directed to administer, That he will make a true and just Return of the Representatives chosen for the Parish or Parishes, of which he is directed to take the Poll, according to the Rules and Limitations prescribed in this Act, to the best of his Conscience and Judgment: And for the more effectual preventing Disputes or Mistakes in taking the Votes, the respective Persons to whom the Writs shall be directed, shall, in Paper of Columns, set down the Names of the several Candidates proposed to be voted for, and shall cause each Voter, or some Person for

1727.

disqualified, &c. Candidates and Electors, not having served before, to produce their Qualifications.

Titles to Estates to be proved and recorded before the Date of the Writ for electing Members;

and Oath to be made, that the Person is in actual Possession, without Covin or Fraud, and that it was not made merely under Colour to give him a Qualification to be chosen,

Proviso.

Further examination upon Oath, &c.

Persons refusing to take the said Oath, debarred from voting, and from being elected.

Writs to whom to be directed.

When to be issued.

Electors to have 3 days Notice. Returning Officers to be sworn.

How Poll is to be taken.

1727.

Qualifications of Representatives.

him, to subscribe his Name under the Persons Names voted for; which Paper of Votes shall be delivered to the Representatives at their first Meeting as an Assembly.

XI. AND be it further Enacted, by the Authority aforesaid, That every white Man professing the Christian Religion, being a free and natural-born Subject of the Crown of *Great-Britain*, or naturalized, or made a Denizen, who has attained to the Age of one and twenty Years, and is actually seized or possessed of forty Acres of Land, or a House or Houses, in any Town of this Island, of the Value of forty Pounds *per Annum*, in Fee-simple or Fee-tail, for Term of his own Life; or Term of another's, or by or under a Contract with the Commissioners, as aforesaid, within any Parish of this Island, or the Son or Heir apparent of a Person possessed of eighty Acres, or a House or Houses of eighty Pounds *per Annum*, shall be deemed capable of being elected a Representative to serve in the Assembly of this Island; and no other Person whatsoever, not being so qualified, as aforesaid.

Persons incapable of being Members, viz. Chief Justice, Chief Baron, Secretary, Marshal, & Treasurer, & their Deputies.

XII. AND be it further Enacted, by the Authority aforesaid, That hereafter no Chief Justice of the Court of King's Bench and Common Pleas, or Chief Baron of the Exchequer; no Secretary, or his Deputy; no Provost Marshal, or his Deputy; no Treasurer, or other Officer concerned or employed in the collecting, levying, or managing the Taxes, Subsidies, and Duties to be hereafter raised, levied, or imposed by this, or any subsequent Assembly of this Island, shall be capable of sitting, voting, or acting as a Member of the Assembly of this Island: And none of the Officers aforesaid shall, by Word, Message, or Writing, or in any other Manner endeavour to persuade any Elector to give, or dissuade any Elector from giving his Vote for the Choice of any Person to be a Representative in the Assembly of this Island; and every of the said Officers offending therein, shall forfeit the Sum of One hundred Pounds; one Moiety to the Informer, the other Moiety to the Poor of the Parish where such Offence shall be committed; to be recovered by any Person that shall sue for the same, by Action of Debt, Bill, Complaint, or Information in any of His Majesty's Courts of Record in this Island, in which no Essoign, Protection, or Wager of Law, or more than one Imparance shall be allowed: And if any Person disabled, or declared by this Act incapable to be elected, or to sit and vote as a Member of the Assembly, shall presume to sit and vote in that House; such Person so sitting and voting, shall forfeit the Sum of One hundred Pounds; to be recovered by such Person as shall sue for the same, by Action of Debt, Bill, Complaint, or Information, as aforesaid.

Penalty on the Officers aforesaid influencing a Voter, &c. How recovered.

Penalty on Persons sitting as Members who are disqualified.

No 2 Parishes to elect Representatives the same Day.

XIII. AND be it further Enacted, by the Authority aforesaid, That upon calling an Assembly, no two Divisions or Parishes shall choose or elect Representatives in one and the same Day; but that the Elections shall begin at the Parish of *St. George, Basseterre*, between the Hours of eight and nine in the Forenoon, and shall continue without Interruption till the Votes shall be shut up and finished, which shall not be before the Hour of twelve at Noon at soonest; and so the Electors of the Parishes of *St. Peter, Basseterre*, *St. Mary, Cayon*, *Christ-Church*, *Nichola-Town*, *St. John, Cabesterre*, *St. Paul, Cabesterre*, *St. Anne, Sandy-Point*, *St. Thomas, Middle-Island*, and *Trinity, Palmeto-Point*, shall successively, Day after Day (*Sundays* excepted) and at the Hours aforesaid, convene at some convenient Place within their respective Parishes, to elect Representatives for the same in the Assembly of this Island, as aforesaid.

Persons qualified to represent one Parish may be chosen for another.

Persons elected refusing to take the Oaths, &c. Incapacitated from being elected or voting, or serving if elected.

If a Member dies or is absent from the Island 60 days without leave &c. new Writ to issue.

Penalty on Persons violating the Freedom of Elections.

XIV. AND be it further Enacted, by the Authority aforesaid, That whosoever has a sufficient Qualification to be elected a Representative, as aforesaid, in any one Parish of this Island, may be elected to serve as a Representative for any other Parish, although not actually qualified, as aforesaid, within the same: And if any Person returned a Representative, refuse to take the Oaths of Parliament, and subscribe the Declaration likewise appointed by Act of Parliament, which Oaths and Declarations are also required by his Majesty, in His Commission to His Chief Governor, to be taken and subscribed by every Person chosen to serve in the Assembly of this Island; the Person refusing to take and subscribe the said Oaths and Declarations, is declared hereby incapable of electing, or being elected a Member to serve in the Assembly of this Island; which Oaths and Subscription the Officer taking the Votes at any Election of Members to serve in the Assembly, at the Request of any one of the Candidates or Voters, is hereby empowered and required to administer: And in case any Member of the Assembly die, or is absent from this Island for upwards of sixty Days, without Leave of the House, then the Chief Governor, or Commander in Chief for the Time being, with the Advice and Consent of the Council, shall, within twenty Days after such Refusal, Death, or Absence, as aforesaid, issue forth a new Writ, as before in this Act is appointed, for choosing another Person to serve in that Assembly, in the Place of such Member so refusing, dead, or absent, as aforesaid.

XV. AND be it further Enacted, by the Authority aforesaid, That if any Person should presume to violate the Freedom of Elections, by any false Returns, Menaces, or Threats, or endeavour to force any Elector or Voter to vote for any Person or Persons against his own Inclination and Conscience, either by calling the Inhabitants into Arms, by making pretended Freeholders, only for the Purpose of electing, or being elected; or hire, or, by any

any other indirect Ways, procure any Vote; or who, after the Election is over, shall menace, despitefully use, or abuse any Freeholder, because he has not voted as he would have had him; or if any Military Officer, or Civil Magistrate shall, by Virtue of his Power and Office, endeavour or attempt to over-awe or affright any Freeholder to vote contrary to his own Conscience and Inclination, the Person or Persons offending in any of the aforesaid Instances, shall forfeit the Sum of One hundred Pounds; one Moiety to the Informer, the other Moiety to be paid to the Treasurer of this Island, for the Use of His Majesty's Fortifications; to be recovered by any Person that shall sue for the same, by Action of Debt, Bill, Complaint, or Information, in any of His Majesty's Courts of Record in this Island, in which no Essoign, Protection, or Wager of Law, or more than one Imparance shall be allowed.

1727.

How recovered.

XVI. AND to prevent perpetuating Assemblies, and the Inconveniencies that may arise thereby; be it further Enacted, by the Authority aforesaid, That this present Assembly, or any future Assembly to be held within this Island, shall be, and continue no longer than one whole Year from the Time of their first Meeting as an Assembly, on any Colour, Suggestion, or Pretence whatsoever.

Assemblies not to continue above a Year.

XVII. AND in case any Differences or Disputes shall happen to arise about the Elections or Qualifications of Representatives; be it further Enacted, by the Authority aforesaid, That for the future, the Truth and Legality of Elections and Qualifications of any Member or Members chosen to serve in the Assembly of this Island, shall be tried only by the Representatives themselves; and the Members of the Assembly shall, by Plurality of Voices, decide all such Disputes and controverted Elections, according to the Rights and Privileges of the Representatives of the Honourable the House of Commons in Great-Britain, so far as the same shall be consistent with the Qualifications and other Matters herein before enacted; and that no Practice or Proceeding to the contrary hereof had or done, shall be drawn into Example or Precedent, to the prejudice of the People of this Island.

Disputes about Elections, how to be determined

William Mathew
Esqr. Governor.

No. 72.

An Act for repealing an Act of this Island, intituled, An Act for the settling the Sum of Two thousand Pounds per Annum, of current Money of the Island of St. Christopher, during the Term therein mentioned, upon his Excellency JOHN HART, Esquire, the present Chief Governor of all His Majesty's Leeward Charribbee Islands in America, for the more honourable Support of the said Governor, and the Dignity of His Majesty's Government; and for appropriating the Monies payable thereby to his said Excellency, from the twenty fifth day of June, One thousand seven hundred and twenty seven: And for declaring in what Specie the Duty commonly called the Three Shilling Duty, shall be hereafter paid.

Expired.
William Mathew
Esqr. Governor.

No. 73.

1728.

An Act for laying of certain Duties upon Sugars, Molosses, and other Goods of the Growth and Manufacture of the Island of St. Christopher, to be exported out of the said Island.

Expired.

Londonderry,
Governor.

No. 74.

An Act for the settling the Sum of Two thousand Pounds per Annum of current Money of the Island of St. Christopher, during the Term therein mentioned, upon his Excellency the Right Honourable THOMAS Earl of LONDONDERRY, the present Chief Governor of all His Majesty's Leeward Charribbee Islands in America, for the more honourable Support of the said Governor, and the Dignity of this His Majesty's Government.

Expired.

No.

1728.

No. 75.

Expired.

An Act for supplying a Defect in an Act passed in this present Year of His Majesty's Reign, intituled, An Act for laying of certain Duties upon Sugars, Molosses, and other Goods of the Growth and Manufacture of the Island of St. Christopher, to be exported out of the said Island.

No. 76.

Confirmed by the King in Council in 1729. And altered and amended, by an Act passed in the Year 1750. No. 152.

An Act for raising a Tax on Negroes by the Poll, for and towards the erecting a Court-House, or Public Hall, and other necessary Offices, in the Town of Basseterre, in the Island of St. Christopher; and to oblige the Secretary, and other Officers, to keep their Offices there, and give a due Attendance: And for repealing an Act made in the Tenth Year of the Reign of his late Majesty King GEORGE the First, intituled, An Act for building a Court-House, or Public Hall, Secretary's, and other Offices, at the Town of Old-Road, in the Island of St. Christopher; and to oblige the Secretary, and other Officers, to keep their respective Offices in the said Town.

A Court-house to be built at Basseterre.

FORASMUCH as nothing can be more for the Honour of a Government, or has a greater Tendency to promote the Prosperity, Peace, and Welfare of a People, than that Justice should be duly, fitly, and decently administered: And whereas, notwithstanding it has been Provided and Enacted by an Act made in this Island, in the Tenth Year of the Reign of His late Majesty King GEORGE the First, intituled, *An Act for building a Court-House, or Public Hall, Secretary's, and other Offices, at the Town of Old Road, in the Island of St. Christopher; and to oblige the Secretary, and other Officers, to keep their respective Offices in the said Town*, That a Public Hall, or Court House, should be built, as well for the Courts of Justice, as for the Council and Assembly to meet and sit in; yet, as by the same Act the said Court House was directed to be built at the Town of *Old Road*, it has proved of no Effect, by Reason it is apparent, that the said Town is too small for the Reception of such a Number of Persons, as are usually engaged in Attendance upon the Courts of Justice, and cannot provide fit and necessary Accommodation and Entertainment for them: And whereas the Town of *Basseterre* is become the most opulent and best inhabited Town in this Island, and the chief Place of Trade and Business in it, and is like to be still more enlarged, by the Sale and Disposal of the late *French* Part of this Island, and will therefore be the most proper and convenient Place for such a Building to be erected in: We therefore, Your Majesty's most dutiful and loyal Subjects, the Council and Assembly of *St. Christopher's*, being willing that so necessary and laudable a Work should not be any longer delayed, and desirous, as much as in us lies, to consult the Ease and Convenience of Your good Subjects in this Island, do humbly pray Your Majesty that it may be Enacted; and be it, and it is hereby Enacted, by the King's Most Excellent Majesty, by and with the Advice and Consent of the Chief Governor of all your Majesty's Leeward *Charribbee* Islands in *America*, and the Council and Assembly of *St. Christopher's*, That the said Act shall be, and is hereby in all things repealed, annulled, and made void: And that a Court-House, or Public Hall, of sixty Feet in Length, and forty Feet in Breadth, shall be forthwith erected in the aforesaid Town of *Basseterre*; the Walls whereof shall be built with Brick, except the Foundation, which shall be built with Stone; and the said Walls shall be three Feet thick in the Foundation, and two Feet thick through the Residue of the Building, and twenty two Feet high; and in which said Building there shall be provided and appointed proper and convenient Rooms and Apartments for the Council and Assembly to meet in, and for the Secretary, Register, and Marshal, to keep their respective Offices in, and all Books, Papers, and Records relating thereto.

Courts of Justice, and other public Offices, to be kept there, and no where else.

II. AND be it further Enacted, by the Authority aforesaid, That Your Majesty's Courts of King's Bench, Common Pleas, and Exchequer in this Island, shall at all Times hereafter sit and be held at the said Town of *Basseterre*, and in the Public Court-Hall, as soon as the same shall be finished and built; and not elsewhere; and that when the same shall be built, the said Secretary, Register, and Marshal, shall then keep their respective Offices there, and all Books, Papers, and Records relating thereto, upon Pain of forfeiting the Sum of Five hundred Pounds, in case they, or any of them shall neglect or refuse so to do, within a convenient Time after Notice shall be given them by the Chief Governor, or, in Case of his Absence, by the Lieutenant Governor, or President of the Council of this Island for the Time being, of such Apartments being finished, and respectively appointed for them.

Time of Secretary, Register, & Marshal's attendance.

III. AND be it, and it is hereby further Enacted, by the Authority aforesaid, That the said Secretary, Register, and Marshal, shall, by themselves, or their lawful Deputies, or by good, able, and sufficient Clerks, by them to be provided for that Purpose, give due and punctual

punctual Attendance in their said Offices respectively on every Day in the Year (*Sundays* and Holy-days only excepted) from the Hour of Eight in the Morning, till Twelve at Noon, and from the Hour of Three in the Afternoon, till the Hour of Six at Night, upon Pain of forfeiting the Sum of Ten Pounds for every Neglect.

1728.

IV. AND for the raising a Fund sufficient for the carrying on and finishing the said Building, and for the purchasing of Land in the said Town of *Basseterre*, convenient for the same; be it, and it is hereby further Enacted, by the Authority aforesaid, That there shall be levied, collected, and paid unto Your Majesty, Your Heirs and Successors, a Tax, or Duty of three Shillings *per Poll*, for every Negro, Mulatto, or *Indian* Slave within this Island; which said Tax or Duty shall be paid by the respective Owners of such Slaves, at such Times, and in such Manner as is hereinafter mentioned; that is to say, One Shilling *per Poll*, Part thereof, at or upon the twenty fifth Day of *March*, which shall be in the Year of our Lord One thousand seven hundred and thirty; one Shilling more *per Poll*, other Part thereof, at or upon the twenty fifth Day of *March*, which shall be in the Year of our Lord One thousand seven hundred and thirty one; and one Shilling *per Poll*, Residue thereof, at or upon the twenty fifth Day of *March*, which shall be in the Year of our Lord One thousand seven hundred and thirty two; to be employed in, and applied to the building such Court House, or Public Hall, and other Offices, as aforesaid, and to no other Use, Intent, or Purpose whatsoever.

Fund for building the Court House how to be raised.

V. AND to the end that a just Account may be had and taken of all and every the Slaves in the aforesaid Island; be it, and it is hereby further Enacted, by the Authority aforesaid, That all and every the Owners, Possessors, and Renters of Slaves; and, in Case of the Absence of such Owners or Possessors, the Managers or Overseers of such Slaves shall, within a Month before each Time of Payment, deliver in unto the Church Wardens in each respective Parish wherein they reside; and in Case it should so happen, that there should be any Parish which shall at that Time be without Church Wardens, then to the next Justice of the Peace (who are hereby authorized, required, and appointed to receive and take, and likewise to return and deliver the same unto the Treasurer of the said Island for the Time being, within ten Days next after the taking thereof) a true and exact List upon Oath, at such Time and Place as the said Church Wardens, by their several Precepts (to be directed to the Constables within their respective Parishes, who are hereby required to give Notice thereof to the several Inhabitants within the same) shall for that Purpose appoint, of all and every the Slaves owned or possessed by such Owner, Possessor, or Renter, or in the Management, Care, or Overseering of such Manager or Overseer at the Time of the Delivery of such List; which Oath the said Church Wardens, or Justices of the Peace, and every of them, are and is hereby empowered, authorized, and required to administer; And if any such Owner, Possessor, or Renter, Manager, or Overseer, shall neglect or refuse to deliver in such List upon Oath, as aforesaid; such Person or Persons so neglecting the same, shall forfeit and pay the Sum of Ten Pounds for every such Neglect.

Owners, &c. to deliver in a List of their Slaves upon Oath.

Penalty on Refusal.

VI. AND be it further Enacted, by the Authority aforesaid, That it shall and may be lawful to and for the Treasurer of the said Island for the Time being, and he is hereby empowered and authorized to demand, collect, and receive the several Rates and Taxes beforementioned in Manner aforesaid, by this Act laid and imposed; And if any Person or Persons, upon reasonable Request to be made by the said Treasurer, his Agent, or Deputy, shall refuse or neglect to pay the said Rates and Taxes as the same shall become due, then the Provost-Marshal, or his Deputy, is hereby authorized and required, on receipt of a Warrant under the Hand and Seal of the said Treasurer, to him the said Marshal, or his Deputy, for that Purpose to be directed, forthwith to distrain on the Goods and Chattels of such Person or Persons, as aforesaid, sufficient to satisfy and pay whatsoever shall be due from such Person or Persons, for, or upon Account of the Rates and Taxes so imposed, as aforesaid, together with all Charges attending the same; which said Goods and Chattels shall in six Days time be sold by the said Marshal, or his Deputy, rendering the Overplus, if any shall be, to the Owner: Provided always, That such Sale be made by the Marshal, or his Deputy, Publicly in the Town next to the Place where such Distress shall be made (*Palmeto-Point* Town only excepted) and in the Presence of six Persons at the least; and if such Person or Persons hath or have not any such Goods or Chattels sufficient to pay the Rates, Taxes, and Impositions wherewith they, or any of them, shall be chargeable, or which they, or any of them, ought to pay by Virtue of this Act, then the said Marshal, or his Deputy, shall take into his Custody the Body or Bodies of such Person or Persons, and them in the common Gaol of the said Island safely detain and keep, without Bail or Mainprize, until he, she, or they shall have paid the same, and every Part thereof.

Treasurer to collect the Taxes imposed by this Act.

and on Default of Payment, may distrain, &c.

VII. AND be it further Enacted, by the Authority aforesaid, That the said Tax so hereby laid and imposed, shall and may be paid, and the Treasurer of the said Island is hereby directed to receive the same, in merchantable *Muscovado* Sugar, at such Price and

Tax to be paid in Sugar.

1728.

Prices, as such merchantable Sugar shall generally be received and paid in the said Island during the Continuance of this Act: And that all Sugars which shall be paid by the said Treasurer out of the said Tax, shall be paid by him at the Price and Prices he shall so receive the same, and at no more; and that the Treasurer for the Time being shall and may have and take to his own Use and Behoof out of the said Tax, the Quantity of five Pounds of *Muscovado* Sugar, for every hundred Pounds which shall be raised by virtue of this Act.

Governor, &c.
may exempt poor
Persons from
paying.

VIII. PROVIDED always, That it shall and may be lawful to and for the Captain-General, and Governor in Chief of the said Leeward Islands, and, in his Absence, for the Lieutenant-Governor, and, in his Absence, for the President of the Council, and the Council and Assembly of the said Island for the Time being, to exempt from the Payment of the Taxes in and by this Act laid and imposed, and every Part thereof, all such poor Persons as they shall conceive to be unable to bear the Burthen thereof; and all and every the Persons which the said Captain-General, and, in his Absence, the said Lieutenant-Governor, and, in his Absence, the said President, and the Council and Assembly, shall think fit to exempt from paying the said Tax, are, and every of them is hereby, to all Intents and Purposes, acquitted, exonerated, and discharged of and from the Payment of the said Taxes, and every or any Part thereof; any thing in this Act contained to the contrary in any wise notwithstanding.

Penalty on
Church Wardens, &c. neglecting their Duty.

IX. AND be it further Enacted, by the Authority aforesaid, That every Church Warden, Justice of the Peace, and Constable, who shall refuse or neglect to do and perform the Duties enjoined and required of him and them in and by this Act, shall forfeit and pay (that is to say) every Church Warden, and Justice of the Peace, the Sum of One hundred Pounds; and every Constable, the Sum of Ten Pounds, for every such Offence: And that one Moiety of all and every the Penalties and Sums of Money hereinbefore appointed to be forfeited, shall be forfeited unto the King's Majesty, to be applied in and towards the building and keeping the said Court House in repair; and the other Moiety unto such Person or Persons as shall and will sue for the same; and shall and may be sued for in any Court of Record in this Island, and recovered by Action of Debt, Bill, Plaint, or Information, wherein no Essoign, Protection, Privilege, or Wager of Law shall be allowed, nor any more than one Impar lance.

A Registry to be kept of all Orders for Payment of money lent on Credit of this Act.

X. AND to the Intent that all Monies to be lent to Your Majesty upon the Credit of this Act by any Person or Persons whatsoever, may be well and sufficiently secured out of the Monies or Sugars arising, and payable thereby; be it further Enacted, by the Authority aforesaid, That there shall be provided and kept in the Office of the Treasurer of this Island, by the Treasurer for the Time being, a Book of Registry of all Orders to be made and signed by the Chief Governor, or, in his Absence, by the Lieutenant-Governor, or President in Council for the Time being, for Payment of all such Sums of Money as shall be lent and furnished to Your Majesty upon the Credit of this present Act; as likewise for all other Orders made and signed, as aforesaid, for the Payment or issuing of any Monies or Sugars arising, or payable by this Act to any Person or Persons whatsoever, to the Uses and Purposes hereinbefore mentioned and intended; and that no Monies or Sugars arising by this Act, or furnished upon the Credit thereof, be issued out of the said Treasury, but by such Order, mentioning, that the Monies or Sugars payable by the same, are for the Charge and Expence of erecting and building such Court House, or Public Hall, as aforesaid, or for the Charge of collecting and bringing in of the Monies or Sugars arising by this Act; and that all the Orders beforementioned shall be registered in Course, according to their respective Dates, so as that the Person, his Executors, Administrators, or Assigns, who shall have his Order or Orders first entred in the said Book of Registry, shall be taken and accounted as the first Person to be paid out of the Monies or Sugars to come in by Virtue of this Act; and he or they who shall have his or their Order or Orders next entered, shall be taken and accounted the second Person to be paid, and so successively, and in Course; and that the Monies or Sugars to come in by this Act, shall be in the same Order liable to the Satisfaction of the said respective Parties, their Executors, Administrators, or Assigns, successively, without Preference of one before the other, and not otherwise, and not be divertible to any other Use, Intent, or Purpose, upon any Account or Reason whatsoever.

To be registered in Course.

No undue Preference.

Treasurer to contract for Lands to build the said Court-House upon.

XI. AND to the end that fit and convenient Lands may be purchased in the said Town of *Basseterre*, or near to the same, for the erecting such Building upon, as aforesaid; be it further Enacted, by the Authority aforesaid, That the Treasurer of the said Island for the Time being shall and may, and is hereby authorized and impowered to contract and agree in his own Name with the Commissioners appointed by His Majesty, for the Sale of the late *French* Lands in this Island, for the Purchase of the absolute Fee-simple and Inheritance of any such Lot or Parcel of Land in the said Town of *Basseterre*, or near the same, for the Purpose aforesaid, as shall be approved by the Chief Governor, or Com-

mander

mander in Chief of Your Majesty's said Leeward *Gbarribbee* Islands in *America* for the Time being, so as the Money to be paid, or agreed to be paid for such Purchase, do not exceed the Sum of one hundred Pounds Sterling; which said Sum of one hundred Pounds shall be paid by the Treasurer of this Island for the Time being, out of the first Monies that shall come in by virtue of this Act, unless it shall be thought fit by Your Majesty to release the Payment thereof, and to acquit and discharge the said Treasurer, his Heirs, Executors, and Administrators, therefrom: And that when, and as soon as the said Treasurer shall have contracted and agreed for such Lands, or as soon as the Fee-simple thereof shall, by any Grant, Patent, or other Conveyance, be conveyed to him; he the said Treasurer shall, by some Deed or Instrument in Writing under his Hand and Seal, declare, that such Lands so by him purchased, were purchased in Trust for His Majesty, and by Virtue of this Act, and to the Intent that such Court House, or Public Hall, as aforesaid, might be built thereupon; and that the Monies paid, and agreed to be paid for the Purchase thereof, were not the proper Monies of him the said Treasurer, but was paid out of the Monies arising by this Act; and that he the said Treasurer shall and will, when thereunto required by the said Chief Governor of the said Leeward *Gbarribbee* Islands for the Time being, grant, convey, and assure all his Right, Title, and Interest therein unto His Majesty, His Heirs and Successors, for the Uses, Intents, and Purposes aforesaid.

1728.

XII. AND be it further Enacted, by the Authority aforesaid, That the Captain-General, or Commander in Chief of the said Leeward *Gbarribbee* Islands for the Time being, shall and may from Time to Time nominate and appoint one or more Person or Persons to manage, order, direct, and supervise the building such Court House, as aforesaid; who shall take care and provide that the same be conveniently and decently done, according to the Dimensions hereinbefore directed; and that proper Offices be set apart therein for the said Secretary, Register, and Marshal; and who for that Purpose shall and may buy Lime, Bricks, and Timber, and other Materials, and also agree with, and employ Masons, Bricklayers, and Carpenters, and other Artificers, Workmen, and Labourers, for the carrying on and finishing the said Building.

Commander in chief to appoint Persons to supervise the Building, &c.

XIII. AND be it further Enacted, by the Authority aforesaid, That in every Action, Suit, Indictment, Information, or Prosecution, wherein or whereby the Treasurer, or any other Person or Persons which shall be by him appointed; or any Person or Persons who, by Virtue of this Act, is, are, or shall be impowered or authorized to put the same in Execution; or any others acting in Aid of them; shall be sued, indicted, prosecuted, or molested, it shall be lawful for all and every the said Persons, their Heirs, Executors, and Administrators, to plead the General Issue, and to give this Act in Evidence in any Court or Courts of Justice where the said Matter shall be depending; and all the Judges of the said Courts are hereby strictly enjoined and required to admit the same, and to acquit and indemnify them, and every of them, of and from all such Suits, Indictments, Informations, and Prosecutions, for and concerning any Matter or Thing acted or done in the due and necessary Performance and Execution of their respective Trusts and Employments therein.

Persons sued, may plead the General Issue.

XIV. PROVIDED always, and it is hereby Enacted and declared, That nothing in this Act contained shall be of any Force or Effect whatsoever, until the King's Majesty shall have signified and declared his Royal Assent thereto.

Proviso.

No. 77.

An Act for raising a Tax on Negroes, and other Slaves within this Island, and on the Value of House rents in the several Towns within the same, for building a Wall to complete Charles-Fort, and for repairing the same Fort, and the other Fortifications, Forts, and Batteries of this Island.

Expired.

No. 78.

An Act for establishing a Market at the Towns of Basseterre, Old-Road, Sandy-Point, and Deep-Bay, in the Island of St. Christopher; and for regulating and ascertaining the Prices of Beef, Mutton, Veal, Pork, and Turtle.

WHEREAS the establishing a Market at the Towns of *Basseterre, Old-Road, Sandy-Point, and Deep-Bay*, for killing Bullocks, Cows, Heifers, Sheep, Calves, Hogs, and

1728.

A Market to be kept at Basseterre, &c. three Times a Week.

Cattle and Meat brought to Market, to be delivered to the Clerk of the Market.

Prices of Meat ascertained.

Meat not fit for sale, to be burnt.

Market to begin at 7 o'Clock in the Morning.

and Turtle, under proper and necessary Regulations, will greatly contribute to the Advantage and Benefit of Your Majesty's Subjects, the Inhabitants of this Island: We therefore, Your Majesty's most dutiful and loyal Subjects the Captain General of all Your Majesty's Leeward *Charribbee* Islands in *America*, the Council and Assembly of this Island, pray Your Most Excellent Majesty that it may be Enacted; and be it, and it is hereby Enacted, by the King's Most Excellent Majesty, by and with the Advice and Consent of the Captain General of Your Majesty's Leeward *Charribbee* Islands in *America*, the Council and Assembly of *St. Christopher's*, and by the Authority of the same, That from and after the Date of this Act, there shall be held and kept at the said several Towns of *Basseterre*, *Sandy-Point*, *Old-Road*, and *Deep-Bay*, on *Tuesdays*, *Thursdays*, and *Saturdays* in every Week, a Market for killing all Bullocks, Cows, Heifers, Sheep, Calves, Hogs, and Turtle, and for selling all Beef, Mutton, Veal, Pork, or Turtle, which shall be brought to Market to any of the said Towns, under the several Regulations, Restrictions, Penalties, and Forfeitures in this Act contained.

II. AND be it further Enacted, by the Authority aforesaid, That all Bullocks, Cows, Heifers, Calves, Sheep, Hogs, or any Beef, Mutton, Veal, Pork, or Turtle, which shall be brought to any of the Markets in any of the said Towns to be killed or sold, shall be delivered to the Person or Persons who shall be appointed by the Commander in Chief for the Time being, to be Clerk or Clerks of the Market; and the said Person or Persons so appointed, are hereby obliged to receive the same, and be accountable to the Owner or Owners thereof, at the following, and no greater or lesser Prices; *viz.* For every Pound of Beef, seven Pence halfpenny, and so in proportion for a greater or lesser Quantity, excepting Legs, Shins, and Necks, which are not to exceed four Pence halfpenny *per* Pound; and for every Pound of Mutton, Veal, or Pig-pork, nine Pence *per* Pound; and every Pound of Pork exceeding ten Pounds a Quarter, seven Pence halfpenny *per* Pound; and so in proportion for a greater or lesser Quantity; and for a Caloppee of Turtle, four Pence halfpenny *per* Pound; and all other Turtle, not to exceed six Pence *per* Pound: And in case any Person or Persons shall bring or send to Market, at any of the aforesaid Towns, Beef, Mutton, Veal, Pork, or Turtle, which is lean, poor, or not fit for sale; the said Person or Persons appointed to be Clerk or Clerks of the Market, shall call two of the principal Inhabitants of any of the said Towns where the same shall happen to be brought, and if they find the same lean, and not fit for Use, or if they have Reason to suspect that the same has died by Accident, or otherwise they shall certify the same to the said Clerk of the Market, and he shall cause such Meat to be burnt, and the Owner shall loose the same, and pay the Charges of surveying and burning; and such Certificate shall indemnify the Clerk of the Market against any Claim and Demand from the Owner, for or in respect of the same.

III. AND be it further Enacted, by the Authority aforesaid, That the Clerk or Clerks of the Market shall attend, and the Market shall begin at Seven of the Clock in the Morning, for selling: And the Clerk in each Town shall provide a Bell, which he shall cause to be rung, to give Notice that the Market begins; and they shall not presume to sell any Meat before the said Hour of Seven in the Morning; and they the Clerks of the Market are hereby obliged and required to sell to any Person or Persons who brings and puts down their Money first on the Stall, such Piece or Pieces as they shall demand, not exceeding thirty Pounds of Beef, or one Joint of Veal, Mutton, or Pork, or thirty Pounds of Turtle: Provided nevertheless, That the Captain General, or Commander in Chief, or Governor of this Island for the Time being, shall and may have such Pieces as they shall send for to the said Clerks of the Market; and for which Pieces and Quantities of Beef, Mutton, Veal, Pork, and Turtle, every Person and Persons having the same, are to pay for to the Clerk of the Market where the same shall be sold, or the Owner thereof, the following Rates and Prices, and no greater; *viz.* For every Pound of Beef, seven Pence halfpenny; for every Pound of Veal, Mutton, and Pig-pork, nine Pence; and for every Pound of large Pork, seven Pence halfpenny, and so in proportion for a greater or lesser quantity of each; excepting, as before, Shins, Legs, and Necks of Beef, which are not to exceed four Pence halfpenny *per* Pound; Caloppee of Turtle, at four Pence halfpenny, all other Parts of Turtle not to exceed six Pence *per* Pound; and no Veal to be deemed or sold as such, without the Approbation of the Clerk of the Market: And the said Clerk or Clerks of the Market are hereby obliged and required to pay the Owner or Owners of such Beef, Mutton, Veal, Pork, or Turtle, as shall be brought to Market, and sold at the said several Rates and Prices beforementioned, provided the Owner of the same does not collect the Money; and in case the said Clerk or Clerks of the Market shall make Default in paying the Owner or Owners in six Days after the same is brought to Market, and sold, upon Complaint made to any two Justices of the Peace for this Island, and Proof thereof made upon Oath, they the said Justices are hereby required to issue out their Warrant under their Hands and Seals, directed to the Provost Marshal, or his lawful Deputy, to levy on the Goods and Chattels of the said Clerk or Clerks of the Market, sufficient to pay the said

Debt

Debt and Costs; and in Case the said Clerk or Clerks of the Market have not Goods sufficient, then the Provost Marshal is hereby required to levy the same on the Goods and Chattels of their Securities; and they the said Clerk or Clerks of the Market are hereby obliged and required, before they enter upon the Execution of their Office, to give in sufficient Security, such as shall be approved by any two of the Justices of His Majesty's Courts of King's Bench and Common Pleas for the Island, well and truly to execute the said Office.

1728.

Clerks to give
Security for the
due Execution of
their Office.

IV. AND be it further Enacted, by the Authority aforesaid, That no Person shall presume to sell any Meat in any of the aforesaid Towns, but in the open Market, and under the Regulations and Restrictions aforesaid: And any Person or Persons who shall send Meat to Market on any other than Market days, shall be under the same Regulations and Restrictions, as on Market days: And no Butcher, Tavern-keeper, or Victualler, shall presume to give, lend, or exchange any Meat, under the Penalty of Three Pounds current Money; but all other Persons may have that Liberty: And whoever shall sell any Meat above the Rates allowed by this Act, shall for every such Offence, upon Proof made upon Oath before any two Justices of the Peace, forfeit the like Sum of Three Pounds current Money.

No Meat to be
sold, but in open
Market.

V. AND be it further Enacted, by the Authority aforesaid, That the said Clerk or Clerks of the Market are hereby required and obliged to cause the Butchers, when there are more than one Bullock, Cow, or Heifer killed or brought to Market, to cut up a Side of one in Pieces, not exceeding six Pounds, for the Use of the poorer Sort of People; and if but one, then a Quarter to be cut up in such Pieces; and if more than two Sheep, Calves, or Hogs, then to cut up a Side, or if but one, a Quarter, for the Use of the Poor, and so in proportion to the Number of each, which shall be killed or brought to Market for Sale: Provided nevertheless, That the Clerk or Clerks of the Market shall be paid for the same at the Prices settled by this Act; and that the same is demanded, and can be taken off by the said poor People.

Pieces of 6lb.
each to be cut
up, for the Use
of the Poor.

VI. AND be it further Enacted, by the Authority aforesaid, That all fat-Bullocks, Cows, Heifers, Calves, Sheep, Hogs, or Turtle, imported into this Island to kill; and likewise all Geese, Ducks, Turkeys, and all Sorts of Poultry, shall be brought to the publick Market in each of the said respective Towns into which they shall be imported, and sold in three Days after they are landed or put ashore; and in case the Owner is not offered a reasonable Price for them in that Time, he may sell them any where else: And any Person or Persons who shall presume to buy privately, or otherwise than in the publick Market, upon Proof made before any two of His Majesty's Justices of the Peace, they forfeit and pay double the Value of such Stock so clandestinely or privately bought: Provided nevertheless, That any Person may send to any other Island or Place for any of the aforementioned Stock, for his own Use.

Meat and Poul-
try to be sold in
3 days after im-
ported.

VII. AND be it further Enacted, by the Authority aforesaid, That the Butchers shall be allowed for killing and cutting up of a Bullock, Cow, or Heifer, one Shilling for each twenty Shillings the same shall make, according to the Value; and for every Veal and Hog, four Shillings each; and for every Sheep, Turtle, or Shoat, three Shillings; and every Person who shall send any of the aforementioned Stock to the Market to be killed, may choose his own Butcher; and whatever Butcher any Stock is sent to, is obliged to kill the same, under the Penalty of Forty Shillings: And if any Butcher shall abuse any Meat in killing, so that the same is rendered unfit for Sale, he shall forfeit and pay to the Owner what shall be adjudged the Value by two Justices of the Peace, upon Proof made before them by the Clerk or Clerks of the Market, or other sufficient Proof: And all Butchers shall be subject to such Orders as they shall receive from the Clerk or Clerks of the Market, pursuant to this Act, under the Penalty of Forty Shillings for each Refusal: And every Clerk or Clerks of the Market shall receive, and may deduct out of the Value of every Bullock, Cow, or Heifer, which shall be brought to Market, or killed there, six Shillings current Money, for his Trouble in seeing the Meat cut up, distributing it, and collecting the Money, but every Owner may, if he thinks fit, receive and collect his own Money, paying the Clerk of the Market his Fees notwithstanding: And for every Veal and Hog, the said Clerk shall be allowed two Shillings, and may deduct the same out of the Value; and for every Sheep, Shoat, or Turtle, one Shilling and six Pence; and may likewise deduct and keep in his Hand the Fees allowed the Butchers by this Act, as well as his own; and the said Clerk or Clerks of the Market are obliged immediately to pay the Butchers at the above settled Rates, for such Stock as shall be killed in the Market, provided the said Clerk or Clerks of the Market shall be appointed by the Owners to collect the Money for the same.

Allowance to the
Butcher for kill-
ing.

Penalty on But-
cher abusing
Meat.

Clerk's Fees.

VIII. AND it is lastly Enacted, by the Authority aforesaid, That all the Forfeitures and Penalties in this Act not already applied, shall be paid the one Half to the Church-Wardens, for the Use of the Poor of the Parish where the Forfeiture or Penalty is incurred; and the other Half to such Person or Persons as shall inform or sue for the same.

Forfeitures how
to be applied.

1728.

No. 79.

Expired.

An Act to regulate the Militia of the Island of St. Christopher.

1731.

No. 80.

Expired.

An Act for laying a Tax on Vintners, Victuallers, and Retailers of Wine, Rum, and Rum-punch, and other Strong-Liquors; and for lessening the Number of Distillers; and for preventing and discouraging Vintners, Victuallers, and Retailers of Wine, Rum, Rum-punch, and other Strong Liquors, from harbouring, entertaining, and concealing Sailors and Servants in the Island of St. Christopher.

1732.

No. 81.

Not in Force.

An Act for preventing the Importation of any Foreign Sugar, Rum or Molasses, into the Island of St. Christopher, in any other than English built Shipping, or from any other Place than the Place of their Growth, or where the said Commodities were first shipped for Transportation.

No. 82.

Expired.

An Act for raising a Tax on all Negroes, and other Slaves, and on Houses, Ware-houses, and Shops, for repairing the Fortifications, Forts, and Batteries of this Island, and for erecting some new Batteries therein; and for obliging all Owners and Possessors of Slaves to send a Proportion of their said Slaves to work on the said Fortifications, for such Time as is therein mentioned: And also for explaining an Act made in the eighth Year of the Reign of His late Majesty King GEORGE the first, intituled, An Act to repeal a certain Act of the Council and Assembly of the Island of St. Christopher, intituled, An Act for raising an Impost upon Liquors imported into the said Island; and for imposing certain Duties upon Wines, Beer, Ale, Cyder, and other Liquors hereafter to be imported into the said Island.

No. 83.

Repealed.

An Act for continuing the Duties of Gunpowder and Small Arms upon the Tonnage of Vessels trading to and with this Island.

No. 84.

Expired.

An Act for continuing the Duties upon Wines, Beer, Ale, Cyder, and other Liquors to be imported into the Island of St. Christopher.

No. 85.

Expired as to the duty, & disallowed by the King in Council as to that part relating to the salaries of Officers.

An Act for granting to His Majesty a Duty of eight Shillings per Poll on all Negroes, and other Slaves within this Island, and also of five Pounds per Centum on the Rents of all Houses, Ware-houses, Shops, and Tenements in the several Towns within the said Island, to be applied towards the Discharge of the public Debts; and for ascertaining and settling the Salaries of the several Officers therein mentioned.

No. 86.

1732.

An Act for barring and cutting off all Estates Tail, and Estates in Remainder, limited and appointed by Clement Crooke, Esquire, deceased, in and by his last Will and Testament, of, in, and concerning the Lands, Tenements, and Hereditaments in the said Will mentioned; and for vesting an Estate in Fee-simple therein, in Clement Crooke, Esquire, his Eldest Son, and Heir at Law, notwithstanding such Limitations and Appointments.

No. 87.

An Act for encouraging Thomas Spencer, lately an Inhabitant of the Island of Barbadoes, in a new Project of hanging Coppers and Stills more commodiously than hath heretofore been used.

No. 88.

1733.

An Act for appointing an Agent in Great-Britain for the Island of St. Christopher, and for settling a Salary upon him during the Time of his Agency.

No. 89.

An Act for settling and describing more clearly the Limits and Bounds of the several Parishes in this Island: And for amending an Act, intituled, An Act for regulating Vestries; and for erecting into Parishes those Parts of this Island formerly belonging to the French; and for annexing other Parts of the said French Lands to the Parishes of St. Mary, Cayon, St. John, Capisterre, St. Anne, Sandy-Point, and Trinity, Palmeto-Point, and in the ninth Year of His late Majesty King GEORGE, for regulating Vestries in this Island; and for ascertaining the Bounds of every respective Parish in this Island.

FOR preventing any Disputes or Controversies, that may hereafter arise concerning the Boundaries of any of the Parishes within this Island, and for describing the Limits and Extent of each of the said Parishes more fully and plainly; be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Commander in Chief of all His Majesty's Leeward Charribbee Islands in America, and the Council and Assembly of the Island of St. Christopher, and by the Authority of the same; That the Parish of St. George Basseterre, in the said Island, shall extend from that Part of the Salt Ponds, called Nag's Head, along the Sea-shore, to a Place called Gillett's Gutt, and from thence to the Top or uppermost Part of the Plantation now in the Tenure or Occupation of Mathew Mills, including the same, and from the uppermost Part of the same Plantation to the Sea-shore, lying next the Foot or lowermost Part of the Plantation or Lands now in the Tenure or Occupation of Zachariah Bourryau, in Frigate Bay, passing along in the said Extent by the several Plantations or Lands now in the respective Tenures of Nicholas Gallwey, Giles Mardenborough, James Milliken, Lewis Marsal, John Douglas, Tobias Wall, William Woodley, senior, Ralph Payne, John Anderson, George Asby, Peter Mitchell, and the said Zachariah Bourryau, and not to include the same, and from thence, along the Sea-shore, round the great Salt Ponds, to the aforesaid Point of Land, called Nag's Head.

Extent of the Parish of St. George, Basseterre.

II. And be it further Enacted, by the Authority aforesaid, That the Parish of St. Peter, Basseterre, in the said Island, shall extend from the Sea-shore, lying next the said Plantations or Lands now in the Tenure of the said Zachariah Bourryau, along the Sea-shore, to a Place called Overee's Gutt, and from thence to the Top or uppermost Part of the Plantation or Lands late in the Tenure or Occupation of Charles Lowndes, and now in the Tenure of Robert Worthington, and including the same, passing along in the said Extent by the several Lands or Plantations now in the respective Tenures or Occupations of William Fenton, Richard Holleran, Robert Cunyngnam, John Spooner, and Richard Wilson, and not to include the same, and from thence to the Top or uppermost Part of the before-mentioned Lands or Plantations, now in the Tenure of the said Mathew Mills, passing along

and of St. Peter, Basseterre.

1733.

along by the said several Plantations or Lands next the Mountain, which now are in the respective Tenures or Occupations of *Augustus Boyd*, *James Milliken*, and *Nicholas Gallwey*, and including the same, and from thence to the Sea-shore next the aforesaid Land or Plantation in *Frigate Bay* aforesaid, now in the Tenure of the said *Zachariah Bourryau*, passing along in the said Extent by the aforesaid Lands or Plantations, in the several Tenures of the said *Nicholas Gallwey*, *Giles Mardenborough*, *James Milliken*, *Lewis Marsal*, *John Douglas*, *Tobias Wall*, *William Woodley*, senior, *Ralph Payne*, *John Anderson*, *George Ashby*, *Peter Mitchell*, and the said *Zachariah Bourryau*, and to include the same.

St. Mary, Cay-

III. AND be it further Enacted, by the Authority aforesaid, That the Parish of *St. Mary, Cayon*, in the said Island, shall extend from the said *Overee's Gutt*, along the Sea-shore, to a Place called *Soldier's Gutt*, and from thence, along the said Gutt, to the Top or uppermost Part of the Plantation or Lands now in the Tenure of *Clement Crooke*, and including the same, passing along by the several Lands or Plantations now in the respective Tenures or Occupations of *Elizabeth Crooke*, *Clement Crooke*, *Zachariah Bourryau*, and *John Dupont*, or his Under-tenant or Assigns, and not to include the same, and from thence to the Top of the said Plantation now in the Tenure of the said *Robert Worthington*, passing along by the several Plantations or Lands now in the respective Tenures of *Peter Thomas*, the Heirs of *Ralph Willett*, deceased, *Anne Norton*, a Plantation called *Green Island*, now in the Tenure of the Honourable *William Mathew*, Esquire, or his Under-tenant or Assigns, and the Plantation of the said *Richard Wilson*, and including the same, and from thence to the Sea-shore next the said *Overee's Gutt*, passing by the aforesaid Lands or Plantations now in the respective Tenures of the aforesaid *Richard Wilson*, *John Spooner*, *Robert Cunyngbam*, *Richard Holleran*, and *William Fenton*, and to include the same.

Christ-Church,
Nichola-Town.

IV. AND be it further Enacted, by the Authority aforesaid, That the Parish of *Christ-Church, Nichola-Town*, in the said Island, shall extend from the said *Soldier's Gutt*, along the Sea-shore, to a Place called *St. George's Gutt*, and from thence, along the said Gutt, and a Gutt called *Bunnana Gutt*, to the Top or uppermost Part of the Plantations or Lands of *Nicholas Taylor*, now in the Tenure or Occupation of *Thomas Dowson*, his Under-tenant or Assigns, and including the same, passing along by the several Lands or Plantations now in the respective Tenures or Occupations of *Joseph Estridge*, and *Benjamin Estridge*, and of *John Taylor*, and *Joseph Taylor*, and not to include the same, and from thence to the Top or uppermost Part of the said Plantation, now in the Tenure of the said *Clement Crooke*, passing along by the several Lands or Plantations now in the respective Tenures or Occupations of *Benjamin Estridge*, *Anne Akers*, *Mary Hutchinson*, *Francis Phipps*, *John Mills*, *William Julius*, *William Woodley*, senior, *John Spooner*, *Mathew Mills*, the said *Francis Phipps*, and the said *John Dupont*, and including the same, and from thence to the Sea-shore next the said *Soldier's Gutt*, passing along by the several Lands or Plantations now in the respective Tenures or Occupations of the said *Elizabeth Crooke*, *Clement Crooke*, *John Dupont*, or his Under-tenant or Assigns, and the said *Zachariah Bourryau*, and to include the same.

St. John, Capif-

V. AND be it Enacted, by the Authority aforesaid, that the Parish of *St. John, Capif-terre*, in the said Island, shall extend from the said Gutt called *St. George's Gutt*, along the Sea-shore, to the East Side of the Plantation or Lands in *French Capif-terre*, late in the Tenure or Occupation of *Thomas Canes*, and now in the Tenure or Occupation of *John Willett*, and *John Spooner*, Esquires, and not to include the same, and from thence to the Top or uppermost Part of the Plantation or Lands now in the Tenure or Occupation of *Hubert Guichard*, and not to include the same, passing along in the said Extent by the Plantations of Colonel *John Hamilton*, deceased, *James Millard*, and *William Woodley*, senior, and including the same, and from thence to the uppermost Part of the aforesaid Plantation of the said *Nicholas Taylor*, and now in the Possession of the said *Thomas Dowson*, passing along by the several Plantations or Lands now in the respective Tenures of *William Woodley*, senior, *Read Parsons*, *Beddingfield Pogson*, *John Lynch*, *Anthony Lynch*, *Henry Willett*, *Margaret Willett*, junior, *Joseph Estridge*, *John Ward*, *Benjamin Estridge*, *William Estridge*, *Thomas Dowson*, *William Johnson*, the said *Joseph Estridge*, and *John Taylor*, and *Joseph Taylor*, and including the same, and from thence to the Sea-shore next *St. George's Gutt*, passing along by the several Lands and Plantations now in the respective Tenures or Occupations of *John Taylor*, and *Joseph Taylor*, and *Joseph Estridge*, and *Benjamin Estridge*, and to include the same.

St. Paul, Capif-

VI. AND be it Enacted, by the Authority aforesaid, That the Parish of *St. Paul, Capif-terre*, in the said Island, shall extend from the East Side of the aforesaid Plantations or Lands now in the Tenure or Occupation of the said *John Willet*, and *John Spooner*, along the Sea-shore, to the North Side of the Plantation or Lands late in the Tenure or Occupation of *Marmaduke Bachelor*, and now in the Tenure of *Jeremiah Brown*, and not to include the same, and from thence to the Top or uppermost Part of the Plantation or Lands now in the Tenure or Occupation of *Anthony Fabie*, and to include the same, passing along in the said Extent by

by the several Plantations or Lands now or late in the respective Tenures or Occupations of *George Huddleston*, *Henry Crooke*, *John Orton*, and *Sir Charles Payne*, and not to include the same, and from thence to the uppermost Part of the Plantation or Lands now in the Tenure or Occupation of the said *Hubert Guichard*, passing along in the said Extent by the Plantations in the several Tenures or Occupations of *Peter Guinilat*, *Peter Brotherson*, and *Nathan Crossley*, and including the same, and from thence to the East Side of the aforesaid Plantations or Lands in the Tenure of the said *John Willett*, and *John Spooner*, and to include the same, passing along in the said Extent by the several Plantations or Lands now in the respective Tenures or Occupations of *Hubert Guichard*, *Mary Hutchinson*, and the said Lands of *Thomas Canes*, now in the Tenure or Occupation of *John Willett*, and *John Spooner* aforesaid, and to include the same.

1733.

VII. AND be it Enacted, by the Authority aforesaid, That the Parish of *St. Anne, Sandy-Point*, in the said Island, shall extend from the North Side of the said Plantation or Lands, formerly called *Bachelor's* Plantation, and now in the Tenure of the said *Jeremiah Brown*, along the Sea-shore, to a Place called *Sandy-Point Gutt*, and from thence to the Top or uppermost Part of the Plantation or Lands now in the Tenure or Occupation of *Benjamin Markham*, and including the same, and passing along by the several Plantations or Lands now in the respective Tenures or Occupations of *Francis Phipps*, *Nathaniel Payne*, and *Stephen Adye*, and not to include the same, and from thence to the uppermost Part of the beforementioned Plantation or Lands now in the Tenure or Occupation of the said *Anthony Fabie*, passing along by the several Plantations or Lands in the respective Tenures or Occupations of *Sir Charles Payne*, *Nathaniel Payne*, *Isaac Peter Audain*, *Patrick Blake*, and the said *Sir Charles Payne*, and including the same, and from thence to the Sea-shore next the North Side of the said Plantation or Lands, formerly called *Bachelor's* Plantation, and now in the Tenure of the said *Jeremiah Brown*, passing along by the aforesaid Plantations or Lands now in the respective Tenures or Occupations of *Sir Charles Payne*, *John Orton*, *Henry Crooke*, and *George Huddleston*, and to include the same.

St. Anne, Sandy-Point.

VIII. AND be it Enacted, by the Authority aforesaid, That the Parish of *St. Thomas, Middle-Island*, in the said Island, shall extend from *Sandy-Point Gutt* aforesaid, along the Sea-shore, to a Place called *Stone's Fort Gutt*, and from thence to the Top or uppermost Part of the Plantation or Lands now in the Tenure or Occupation of *John Maddox*, and including the same, passing by the several Plantations or Lands now in the respective Tenures or Occupations of *Elizabeth Henderson*, *Patrick Blake*, and *Mary Clayton*, and not to include the same, and from thence to the Top or uppermost Part of the said Plantation, in the Tenure of the said *Benjamin Markham*, passing along by the several Plantations now or late in the respective Tenures or Occupations of *Charles Mathew*, deceased, *Christopher Jefferson*, *John Orton*, *Jasper Verchild*, *Richard Walker*, the Honourable *William Mathew*, *Michael Lambert*, deceased, *Freeman Millard*, *James Verchild*, *Thomas Butler*, deceased, and *Peter Soulegree*, and *Stephen Adye*, and including the same, and from thence to the Sea-shore next the said *Sandy-Point Gutt*, passing along by the aforesaid Plantations or Lands, now in the respective Tenures or Occupations of *Francis Phipps*, *Nathaniel Payne*, and the said *Stephen Adye*, and to include the same.

St. Thomas, Middle-Island.

IX. AND be it Enacted, by the Authority aforesaid, That the Parish of *Trinity, Palmeto-Point*, in the said Island, shall extend from the said *Stone's Fort Gutt*, to the said *Gillew's Gutt*, and from thence to the Top or uppermost Part of the beforementioned Plantation, now in the Tenure of the said *Mathew Mills*, and not to include the same, passing along by the several Plantations, now in the respective Tenures or Occupations of *Joseph King*, *John Johnson*, and the Heir of *Edward Spencer*, deceased, his Under-tenants or Assigns, and to include the same, and from thence to the Top or uppermost Part of the said Plantation in the Tenure of the said *John Maddox*, and not to include the same, passing along by the several Plantations or Lands in the respective Tenures or Occupations of the Heir of the said *Edward Spencer*, deceased, his Under-tenants or Assigns, *Peter Dupree*, *Francis Kerie*, *Mary Bourryau*, *Sarah Phillips*, *Sarah and Mary Guillien*, *Zachariah Bourryau*, *John Garnett*, *Elizabeth Henderson*, *Elizabeth Willett*, *Margaret Willett*, junior, *Dove Thergold*, and the late *Michael Lambert*, deceased, and the said *Elizabeth Henderson*, and including the same, and from thence to the Sea-shore next the said *Stone's Fort Gutt*, passing along by the several Lands or Plantations in the respective Tenures or Occupations of the said *Mary Clayton*, *Patrick Blake*, and *Elizabeth Henderson*, and to include the same.

Trinity, Palmeto-Point.

X. PROVIDED always, and be it Enacted, That this Act shall not be in Force, until His Majesty shall give His Royal Assent thereto.

Commencement of this Act.

1733.

No. 90.

An Act to indemnify the Treasurer of this Island for and on account of his paying away the Public Sugars at a lower Price than they were received at.

Treasurer to pay away Sugars at the Price generally paid at the Publication of this Act.

WE, Your Majesty's most dutiful and loyal Subjects, the Commander in Chief of all Your Majesty's Leeward Charribbee Islands in America, and the Council and Assembly of the Island of St. Christopher, do most humbly pray Your Majesty that it may be Enacted; and be it, and it is hereby Enacted, by the King's Most Excellent Majesty, by and with the Advice and Consent of the Commander in Chief, the Council, and Assembly aforesaid, and by the Authority of the same, That it shall and may be lawful to and for the Treasurer of this Island to pay away all such Sugars that he hath already collected and received, or may hereafter collect and receive, at the current Price that Sugar at the Time of the Publication of this Act generally is received and paid within this Island: And the said Treasurer, for or upon account of such Payment or Payments, by him so made, or hereafter to be made, shall be, and is hereby indemnified, released, acquitted, and discharged; any Law of this Island to the contrary thereof in any wise notwithstanding.

No. 91.

Expire.

An Act to regulate the Militia of the Island of St. Christopher.

1733-4.

No. 92.

Expire.

An Act for settling the Sum of One thousand two hundred Pounds, for one Year, to be computed from the Twenty fifth Day of December last past, and after the expiration of the said Year, the Sum of Eight hundred Pounds current Money per Annum, upon his Excellency WILLIAM MATHEW, Chief Governor of all His Majesty's Leeward Charribbee Islands in America, for the more honourable Support of him, and of the Dignity of His Majesty's Government, during the Term therein mentioned.

No. 93.

Expire.

An Act for raising an annual Sum of Eight hundred Pounds current Money, by a Duty or Tax of Fourteen Pence per Poll on all Negroes and other Slaves within this Island: And the further Sum of Four hundred Pounds of like current Money, by an additional Duty or Tax of Seven Pence per Poll on the said Negroes, and other Slaves, for one Year, to be computed from the Twenty fifth Day of December last past; to be applied to the several Uses and Purposes herein declared and appointed.

No.

No. 94.

1733-4.

An Act to oblige all Owners, Renters, or Possessors of Slaves, to send^{Expired,} a Proportion of their said Slaves to work on the Fortifications of this Island.

No. 95.

An Act for giving an Estate of Inheritance in Fee-simple to such of the Inhabitants of this Island as have built, or shall build Houses within the several Fortifications of Brimstone-hill, Charles-Fort, and Fort Londonderry.

Another Act passed to this Purpose in 1739, No. 105, and one in 1744, No. 135. As the Term for building Houses was confined to three Years, and as Act No. 105, recites that no Person had availed himself of the Right hereby given, the Title of this Act only is published.

No. 96.

An Act for reducing the Fee of Three Shillings per Sheet taken by the Secretary as Clerk in Chancery, for the Copies of Bills and Answers in the said Court, filed in the Secretary's Office, and for appointing a more reasonable Fee in the room thereof.

Confirmed by His Majesty in Council in 1737

WHEREAS in and by a certain Docket of Fees annexed to, and established by an Act of Council and Assembly of this Island (passed the tenth Day of January, One thousand seven hundred and fifteen sixteen) intituled, *An Act for regulating and appointing the Fees of the several Officers and Courts in this Island*, the Sum of Three Shillings current Money per Sheet is allowed to the Secretary, as Clerk in Chancery, for Copies of Bills and Answers in that Court, filed in the Secretary's Office: And whereas the same is a most unreasonable and extravagant Fee; and a great Oppression upon the Suitors in that Court, and must occasion an almost total Stagnation of equitable Justice, by deterring many Persons, by the vast Expence thereof, from prosecuting their just Rights therein; We therefore, Your Majesty's most dutiful and loyal Subjects, the Council and Assembly of the Island of St. Christopher (for remedy of so great an Evil) do pray Your Majesty that it may be Enacted; and be it; and it is hereby Enacted, by the King's most Excellent Majesty, by and with the Advice and Consent of His Majesty's Governor in Chief of all His Leeward Charribbee Islands in America, and of the Council and Assembly of the said Island of St. Christopher; and by Authority of the same; That the said Docket and Act, as to the said Fee of Three Shillings current Money per Sheet, for Copies of Bills and Answers in the Court of Chancery; to be filed in the Secretary's Office of this Island; shall be, and is hereby from henceforth repealed, annulled, and declared void, to all Intents and Purposes, as if the same had never been made: And that the Secretary for the Time to come, shall not, on any Pretence whatsoever, take any more than One Shilling and six Pence per Sheet, each Sheet to contain one hundred and twenty Words, for Copies of Bills and Answers in Chancery, to be filed in his Office, upon Pain, for every Offence committed against this Act, to forfeit and lose double the Value of such Sum taken over and above the said Fee of One Shilling and Six Pence per Sheet; one Moiety, or half Part whereof shall go to His Majesty, His Heirs and Successors, and be applied to the Use of the Fortifications, Forts, and Batteries of this Island; and the other Moiety, or half Part thereof, shall go to such Person or Persons as shall inform or sue for the same; to be recovered in any of His Majesty's Courts of Record in this Island by Action of Debt, Bill, Plaint, or Information, in which said Action or Suit no Essoign, Protection, or Wager of Law, or any more than one Impar lance shall be allowed.

Part of Act of 1715-16 repealed.

Secretary's Fee reduced to 1s. and 6d. per sheet to contain 120 Words.

Penalty on taking more.

II. PROVIDED nevertheless, and it is hereby declared, That this Act shall not be of any Force, until such Time as His Majesty shall have given His Royal Assent thereunto.

Provido.

1733-4

No. 97.

Expired.

An Act for obliging the Church Wardens and Vestrymen of the Parish of St. George, Basseterre, to keep Watch in the Town of Basseterre, and Irish Town, by Night; and for preventing Robberies, and other Disorders that are frequently committed therein.

1734.

No. 98.

Expired.

An Act for continuing an Act, intituled, An Act to oblige all Owners, Renters, or Possessors of Slaves, to send a proportion of their said Slaves to work on the Fortifications of this Island.

1735.

No. 99.

Expired.

An Act to oblige all Persons, Negroes, or other Slaves, hawking and retailing Wares and Merchandizes through the several Plantations or Parishes of this Island, to take out Licences for doing the same: And for preventing the Sale of Goods, Wares, and Merchandizes by Way of Lottery, and Lotteries for Money.

This Act made Perpetual by an Act passed in 1742, but as the same Act was passed verbatim on the 15th of April, 1766, it is omitted here. See No. 197.

No. 100.

An Act for the better regulating of Seamen and Sailors, and obliging all Masters of Ships and other Vessels to take care of their sick Seamen or Sailors.

No. 101.

Expired.

An Act for granting to His Majesty a Duty of Five Shillings and six Pence per Poll on all Negroes, and other Slaves within this Island; and also Five Pounds per Cent. on the Rent of all Houses, Ware-houses, Shops, and Tenements in the several Towns within this Island.

No. 102.

Expired.

An Act to enable the Public of this Island to cut Turf and Sod out of the Lands adjoining to Fort Londonderry, for repairing and finishing the Fortifications and Works of the said Fort.

No. 103.

Expired.

An Act for the reviving of an Act, intituled, An Act to oblige all Owners, Renters, or Possessors of Slaves, to send a Proportion of their said Slaves to work on the Fortifications of this Island.

1739.

No. 104.

An Act for preventing clandestine Marriages in the Island of St. Christopher.

WHEREAS clandestine Marriages have been heretofore frequently celebrated in this Island, whereby Parents have been deprived of their Children without their Consent and

and Approbation, to the great Injury and Disquietude of Families: And whereas evil-minded Persons are at Liberty still to carry on such irregular Practices, unless timely prevented by Law; for remedying therefore so great an Evil, We, Your Majesty's most dutiful and loyal Subjects, the Council and Assembly of the Island of St. *Christopher*, do pray Your Majesty that it may be Enacted, and be it, and it is hereby Enacted, by the King's most Excellent Majesty, by and with the Advice and Consent of the Governor in Chief of all His Majesty's Leeward *Charribbee* Islands in *America*, and the Council and Assembly of the said Island of St. *Christopher*, and by the Authority of the same, That from and immediately after the Publication of this Act, no Person or Persons whatsoever shall presume, under any Colour or Pretence whatsoever, to marry or join together in Wedlock any Couple, unless before such Marriage be celebrated the Parties intending or designing to be married be duly called in the Church by the Christian Name and Surname of the said Couple where one of the Parties shall reside for Three *Sundays* or Holy-days, successively, during the Time of Divine Service, or that the Parties so intending to be married, or one of them, shall first procure and take out, or cause to be procured and taken out of the Secretary's Office of this Island a Licence for that Purpose, which shall also be signed by the Ordinary, or deputed Ordinary on this Island for the Time being, before the same shall be of any Force or Validity whatsoever.

1739.

Persons to be married shall be called three times in the Church,

or take out a Licence.

II. AND be it further Enacted, by the Authority aforesaid, That if any Person or Persons whatsoever shall marry or join together in Wedlock any Couple whatsoever, unless both the Parties be first called in Church, as aforesaid, or having such Licence, as aforesaid, authorizing him to do the same; such Person or Persons offending against this Act shall forfeit and lose One hundred Pounds current Money for every Offence so by him committed, to be recovered in any of His Majesty's Courts of Record, by Action of Debt, Bill, Plaint, or Information, in which no Essoign, Protection, or Wager of Law, or any more than one Imparance shall be allowed; and the same when recovered shall go, one Moiety, or half Part thereof, to such Person or Persons who shall inform or sue for the same, and the other Moiety, or half Part, shall go and be paid to the Church Wardens of the Parish where such Offence shall be committed, for the Use of the Poor of such Parish.

Penalty.

No. 105.

An Act for giving an Estate of Inheritance in Fee-simple to such of the Inhabitants of this Island as have built or shall build Houses within the several Fortifications of Brimstone Hill, Charles Fort, and Fort Londonderry.

Vid. No. 339

No. 106.

An Act for reviving an Act, intituled, An Act for continuing the Work of the Fortifications, Forts, and Batteries of this Island; and for obliging all Owners and Possessors of Slaves to send a Proportion of their said Slaves to the same, for such Time as therein is mentioned; and for amending and altering several Parts and Clauses in the said Act mentioned and contained.

Expired.

No. 107.

An Act for granting an Aid to his Majesty, by a Duty or Tax of Eight Shillings per Poll on all Negroes and other Slaves, and the further Duty of Five Pounds in the Hundred on all Houses, Warehouses, Shops, and Tenements in the several Towns within this Island, to be applied in and towards Payment of the Public Debts now due, and for defraying the accruing Expence of this current Year 1739, to the several Officers and others employed by the Public of the said Island.

Expired.

1739.

No. 108.

An Act to prevent all Persons, Negroes, and other Slaves, from hawking and retailing Wares, and Merchandizes through the several Plantations, Towns, or Parishes of this Island; and for the preventing the Sale of Goods, Wares, and Merchandizes by Way of Lottery, and Lotteries for Money.

WHEREAS several Frauds and Abuses are daily committed by Negroes who are employed by several Shop-keepers, and other Persons, in hawking and retailing Goods and Wares through the several Parts of this Island, which cannot be remedied but by the total Suppression thereof; for preventing of which for the future, be it, and it is hereby Enacted, by the King's Most Excellent Majesty, by and with the Advice and Consent of the Governor in Chief of all His Majesty's Leeward *Gbarribbee* Islands in *America*, and the Council and Assembly of the Island of *St. Christopher*, and by the Authority of the same, That from and immediately after the Publication of this Act, no Person or Persons whatsoever, either by him, her, or themselves, shall hawk, carry about, and vend or expose to Sale, or cause or procure to be hawked, carried about, and vend or exposed to Sale, any Goods and Merchandize whatsoever in and through the several Plantations, Towns, or Parishes of this Island.

No Hawkers to be allowed.

Penalty,

to forfeit £. 100 and the Goods.

II. AND be it further Enacted, by the Authority aforesaid, That if any Person or Persons whatsoever shall, contrary to this Act, presume to hawk, carry about, vend, or expose to Sale, or cause or procure to be hawked, carried about, and vend or exposed to Sale any Goods, Wares, and Merchandize, as aforesaid, shall for every such Offence forfeit the Sum of One hundred Pounds current Money, together with the Goods exposed to Sale.

All Persons may apprehend Hawkers.

Justice to issue his Warrant to summon suspected Persons.

How to convict a Hawker.

III. AND for the better discovering and bringing to Punishment all such Persons who shall, contrary to this Act, either by him, her, or themselves in Person, hawk, carry about, and vend or expose to Sale, or that shall employ or send any Goods, Wares, or Merchandize by white Persons, Negroes, or other Slaves about the Parishes, Plantations, or Towns of this Island for Sale; be it, and it is hereby further Enacted, by the Authority aforesaid, That it shall and may be lawful for any Person or Persons to apprehend and carry before any one of His Majesty's Justices of the Peace in the said Island, all such white Persons, Negroes, or Slaves, which shall be found or detected carrying about and exposing to Sale any such Goods, Wares, and Merchandize, which said Justice is hereby empowered and required to issue forth his Warrant or Precept under his Hand and Seal, requiring any Person or Persons, who shall be suspected to be the Owner or Owners of the said Goods, Wares, or Merchandize, or whom he shall know or be informed is capable of discovering such Owner or Owners of the same, to attend him at such Time and Place as he shall therein direct; and in Case such Person or Persons suspected to be the Owner or Owners of such said Goods, Wares, and Merchandize, do not then acquit him, her, or themselves upon Oath (which Oath the said Justice is empowered to administer) by denying that the said Goods so seized do belong to him, her, or them; or if it be otherwise proved upon Oath, to the Satisfaction of such said Justice, that the said Goods do really belong to such suspected Owner or Owners; or that he, she, or they are interested in the same; or that they are in anywise interested therein, that then, and in such a Case, such Person or Persons shall be deemed and looked upon to be convicted of such Offence, and shall by such said Justice be adjudged to lose and forfeit the said Goods to the Informer, and likewise to pay the Sum of One hundred Pounds current Money, as enjoined by this Act, or upon Refusal to be committed to the Common Gaol of this Island, there to remain without Bail or Mainprize until Payment of the same.

Proviso.

IV. PROVIDED nevertheless, and it is hereby Declared and Enacted, by the Authority aforesaid, That if any Person or Persons convicted in offending against this Act, do make it appear upon Oath, or other satisfactory Proof, such as shall be allowed of by the Justice before whom the Fact is tried, that he, she, or they are not worth the Sum inflicted to be paid by this Act, then, and in such a Case, he, she, or they to be committed to the common Gaol only, for the Space of Six Calendar Months, without Bail or Mainprize, as aforesaid; any thing in this Act contained to the contrary thereof in any wise notwithstanding; but in Case upon Examination it doth not appear to such said Justice who is the Owner or Owners, or any way interested in such said Goods, Wares, and Merchandize, then the same only shall by him be adjudged to be forfeited to such Person or Persons who seized such said Goods, Wares, and Merchandize, and gave Information of their being hawked and carried about contrary to the Intent and Meaning of this Act.

Application of the Forfeitures.

V. AND be it further Enacted, by the Authority aforesaid, That all the Money arising by the Forfeitures of this Act, shall be for the Use of his Majesty, his Heirs, and Successors, for and towards the defraying the contingent Charges of this Island.

VI.

VI. AND whereas a Scheme hath formerly been carried on for the Sale and Disposal of Jewels, Plate, and several other Goods and Merchandize by way of Lottery, which is not only a gross and notorious Imposition upon the Public, but may also prove a very great Injury to the Commerce of this Island, by discouraging Merchants constantly residing here, and other fair Traders in the honest and lawful Exercise of their respective Calling, if a timely Remedy be not applied to the same; for the preventing thereof be it, and is hereby further Enacted, by the Authority aforesaid, That from and after the Publication of this Act, no Person or Persons whatsoever shall make, set up, continue, or cause or procure to be made, set up, continued, or kept, any Office or Place under the Denomination of a Sale or Sales of Plate, Jewels, or other Goods and Merchandize whatsoever by way of Lottery, or by Lott, Tickets, Chances, Numbers, or Figures; or shall make, advertise, or publish, or cause or procure to be made, advertised, and published, Proposals or Schemes for advancing small Sums of Money by several Persons, amounting in the whole to large Sums, to be divided amongst them by Chances; or shall deliver out, or cause or procure to be delivered out, Tickets to Persons advancing such Sums to entitle them to a Share or Shares of such said Plate, Jewels, or other Goods and Merchandize set up to Sale, or of such Monies so advanced according to such Proposals or Schemes; or shall make, advertise, or publish, or cause or procure to be made, advertised, and published, Proposals or Schemes of the like Crime or Nature, under any Denomination, Name, or Title whatsoever, upon Pain that all and every Person or Persons offending against this Act shall for every Offence forfeit and lose the Sum of One thousand Pounds current Money of this Island, one Moiety whereof, when recovered shall go to His Majesty, His Heirs and Successors, and be applied as hereinbefore directed, and the other Moiety to such Person or Persons who shall inform or sue for the same, in any of His Majesty's Courts of Record in this Island, by Action of Debt, Bill, Complaint, or Information, in which said Suit no Essoign, Protection, or Wager of Law, or any more than one Imparance shall be allowed.

1739.
No private Lot-
teries to be al-
lowed.

Penalty.

VII. PROVIDED always, That nothing in this Act shall extend to debar or prevent the carrying about and selling of Fruit, Herbage, Stock, fresh Fish, or any other the Growth or Produce of the said Island; any Thing hereinbefore contained to the contrary notwithstanding.

No. 109.

An Act for continuing an Act, intituled, An Act for reviving an Act, intituled, An Act for continuing the Work of the Fortifications, Forts, and Batteries of this Island; and for obliging all Owners and Possessors of Slaves to send a Proportion of their said Slaves to the same, for such Time as therein is mentioned; and for amending and altering several Parts and Clauses in the said Act mentioned and contained.

Expired.

No. 110.

An Act to direct and impower the Courts in the Island of St. Christopher, in all Actions where mutual Dealings and Credits are between the Plaintiff and Defendant, to set off and discount each Party's Demand against the other, and to give Judgment for the Balance only.

WHEREAS frequently Actions are brought in the Courts of this Island where mutual Dealings and Credits are between the Plaintiff and Defendant, and by the Laws and Usage of this Island the Plaintiffs are not compellable in such Actions to allow and discount the Defendants lawful Demands against them, but such Defendants are obliged to commence fresh Actions against the said Plaintiffs for Recovery thereof, which occasions a Multiplicity of Suits, and is otherwise found by Experience to be very prejudicial to the Trade and Commerce of this Island; to remedy the same for the future, We, Your Majesty's most dutiful and loyal Subjects, the Governor in Chief of all Your Majesty's Leeward Charribbee Islands in America, and the Council and Assembly of the said Island of St. Christopher, do humbly pray Your Most Excellent Majesty that it may be Enacted; and be it, and it is hereby Enacted, by the King's Most Excellent Majesty, by and with the Advice and Consent of His said Governor in Chief, and of the Council and Assembly of the said Island of St. Christopher, and by the Authority of the same, That where any Action or Suit is or shall be brought in any Court in the said Island of St. Christopher by any Plaintiff, in his own Right, or as Executor or Administrator, against any Defendant, in his

In Actions where there have been mutual Dealings, the General Issue may be pleaded 14 Days before

OWN

1739.

the second Court, and the Defendant is to serve a Copy of his Plea and Account, with a Notice of Set-off, within such 14 Days.

Judgment to be given for Plaintiff or Defendant in whose Favour Verdict shall be found.

If Defendant neglects to plead and deliver his Account, and to give such Notice within 14 Days, Defendant shall not have the Benefit of a Set-off.

own Right, or as Executor or Administrator, for any Due, Debt, or Demand whatsoever, and there are any Demands and Intercourse of Debts and Credits between such said Plaintiff and Defendant, or their Testators or Intestates; in all such Cases, from and after Publication of this Act, such Defendant shall and may plead the General Issue to such Action or Suit Fourteen Days before the second Court next after the Entry of such Action, and deliver to the Plaintiff, or to his Attorney or Agent, a Copy of such his Plea, and of his Account or Demand against the Plaintiff, with Notice in Writing, that he intends to give the same in Evidence at the Trial of the said Cause, which Account or Demand, on due Proof thereof, shall be set and allowed against the Demand of the said Plaintiff, and a Verdict (if such Cause be tried by a Jury) shall thereupon be given according to the Evidence, and Judgment shall be awarded by the Court for the Plaintiff or Defendant for such Balance as shall be found due on the one Side or the other, with Costs of Suit.

II. PROVIDED always nevertheless, That if such Defendant shall neglect to plead the General Issue to such Action, and to deliver to the Plaintiff, or his Attorney or Agent, a Copy of such Plea, and of his Account or Demand against the Plaintiff, with such Notice in Writing, as aforesaid, within the Time above limited; then, and in such Case, the said Defendant shall not be admitted by the Court to offer or give such his Account or Demand in Evidence against the Plaintiff at the Trial of the said Cause; any thing herein contained to the contrary notwithstanding.

1740.

No. III.

An Act for the more effectual cleaning and amending the Highways in this Island; and to repeal an Act, intituled, An Act for repairing Her Majesty's Highways.

This Act is altered and amended by No. 232.

WHEREAS an Act now in force, intituled, *An Act for repairing Her Majesty's Highways*, made the third Day of November, in the Year One thousand seven hundred and eleven, is, by the great Change of the Circumstances of this Island since the making thereof, become useless in some Particulars, and defective and obscure in others, which make it necessary that a new Law be passed for the more effectually repairing and amending the Highways of this Island; We, therefore, Your Majesty's most dutiful, loyal, and obedient Subjects, the Council and Assembly of your Majesty's Island of St. Christopher, do most humbly pray Your Most Sacred Majesty that it may be Enacted and Ordained, by the King's Most Excellent Majesty, by and with the Advice and Consent of the Governor in Chief in and over all His Majesty's Leeward Charribbee Islands in America, the Council and Assembly of the said Island of St. Christopher; and be it, and it is hereby Enacted and Ordained by the Authority of the same, That the abovementioned Act be, and the same is hereby repealed and annulled.

Former Act repealed.

Justices to appoint Way Wardens in January every Year.

In Ten Days after Appointment

Way Warden's Oath.

II. AND be it, and it is hereby Enacted and Ordained, by the Authority aforesaid, That from henceforth yearly, all or any Two Justices of the Peace in each Parish, or if there be not Two Justices residing in any Parish, then the nearest residing Justice or Justices shall meet together some Time in the Month of January, and by Warrant under their Hands and Seals nominate and appoint Two sufficient Inhabitants of the said Parish to be Way Wardens of the same; and the Persons so appointed, after due Notice thereof, by the Constable's Delivery of the said Warrant, to them, or one of them, and a true Copy of the same to the other, shall immediately undertake the Office of Way Wardens for the Parish for which they are appointed, and shall execute the same until others be appointed the Year following; and the Persons so appointed as Way Wardens, shall within ten Days after Notice of their Appointment, repair to some one or more Justices of the Peace, and there take the following Oath, *vis.*

I A. B. do swear, That I will impartially execute the Office of Way-Warden for the Parish (here name the Parish for which he is appointed) according to all the Powers and Directions given by an Act of this Island, intituled, *An Act for the more effectually cleaning and amending the Highways in this Island*, and to repeal an Act, intituled, *An Act for repairing Her Majesty's Highways*; without Hatred or Favour to any Person whatsoever.

So help me God.

III. AND be it further Enacted, by the Authority aforesaid, That if any Justice of the Peace shall fail to do his Duty in any Respect, as by this Act is before or hereafter required, he shall forfeit Twenty Pounds current Money of this Island for every Offence or Neglect, to be recovered in any Court of this Island by Action of Debt, wherein no Essoign, Protection,

Justice, on Neglect of Duty, to forfeit £.20.

tion, or Wager of Law, or any more than one Imparlance shall be allowed; and one Moiety of the said Forfeiture shall be applied to the Use of the Informer suing for the same, and the other Moiety to the Use of His Majesty, His Heirs, and Successors, and be paid into the public Treasury of this Island; in which Action the Informer, if he recover, shall recover also full Costs.

1740.

Disposition of the Forfeiture.

IV. AND be it further Enacted, by the Authority aforesaid, That if any Person so appointed to be Way Warden for any Parish shall refuse to accept the said Office, and to procure himself to be sworn, as herein is directed, he shall forfeit the Sum of Twenty Pounds current Money of this Island, to be levied by Distress on his Goods and Chattels, and Sale thereof by Public Outcry, as is usual in like Cases, by Warrant under the Hands and Seals of any Two Justices of Peace, directed to the Provost Marshal, or his lawful Deputy; and in such Case the Justices of the Peace shall nominate some other fit Person to serve as Way Warden, who shall, upon like due Notice, take upon him the Office, under the like Penalty.

Penalty on Way Warden's Refusal to serve.

How to be recovered.

Justice to name, &c.

V. PROVIDED always, That no Person shall be liable to any Penalty for his Refusal to serve as Way Warden, who shall prove to the said Justices of the Peace, that there are other Persons legally qualified, and residing in the Parish, who have not served that Office since himself last did serve it, or that he was fined for the same; and if the said Justices shall not allow the said Excuse, then the Party conceiving himself aggrieved may appeal to the Governor and Council, who are hereby empowered to hear and finally determine the Confirmation or Disallowance of such his Nomination to that Office.

Person not to pay Penalty if he proves that there is some other Person in the Parish who has not served since he did. Party may appeal to Governor and Council, &c.

VI. AND be it further Enacted, by the Authority aforesaid, That in case it shall hereafter happen that any Way Warden shall die or remove off the Island during the Time of his Appointment to serve that Office, or that by the Justices Neglect to nominate Way Wardens at the Time directed by this Law, or that by any other Occasion whatsoever there shall not be Two Way Wardens in any Parish, that then Two Justices shall have the same Powers as are before given by this Act to nominate and appoint one or more fit Person or Persons to serve the said Office until others shall be legally appointed; which Person or Persons so appointed shall be obliged to take upon him or them the said Office, or else shall be fined, as before in this Act is directed.

Power of the Justices to appoint in case of Death or absence from the Island, &c.

VII. AND be it further Enacted, by the Authority aforesaid, That all Way Wardens shall, within Ten Days after being sworn into that Office, and within Three Days after all great Rains, view the several Highways within their respective Parishes, and whenever the said Ways shall want amending, the said Way Wardens shall issue their Warrant to the Constable or Constables of their Parish to summon the several Inhabitants thereof, who are Owners, Possessors, or Managers of Slaves, to send such a Proportion of their Slaves to work on the Highways, as the Way Wardens in their said Warrant shall direct, not exceeding one eighth Part of their whole Number, according to the List last taken upon Oath by a Justice of Peace of all Slaves within that respective Parish; and every Justice of Peace, who shall at any Time take a List of the Slaves within any Parish of this Island, is hereby required to deliver, upon reasonable Demand, to the respective Surveyors of that Parish a true Copy of that List.

Way Wardens to view the Highways 10 Days after Sworn and 3 Days after great Rains to issue their Warrant if necessary.

VIII. AND be it further Enacted, by the Authority aforesaid, That every Person so summoned, not being a Woman, shall attend with his Slaves in Person, or else send some other white Person to take the Care of his Slaves, and assist in cleaning and amending the Highways, from Day to Day, until discharged by the Way Wardens, or one of them; and every Slave sent to the Highways shall carry one sufficient Hough, and every Man Slave shall carry a Bill or Cutlath besides the Hough; and every Person sending Ten or more Slaves for his Quota, shall send with them one Iron Crow or Pick-ax, to be employed in working on the Highways.

Altered by Act No. 232, Sec. 1.

Slaves to work on the Roads till discharged by the Way Wardens.

IX. AND be it further Enacted, by the Authority aforesaid, That the said Summons for attending the Highways, shall be given to each Person at least Thirty six Hours before the Time appointed for Attendance; and if any Person duly summoned shall refuse or neglect to send their full Proportion of Slaves, or to attend himself, or, in his Absence, to send a white Person to take Charge of them, he shall forfeit for the white Person the Sum of Six Shillings for each Day, and for every Slave so wanting of their Quota, the Sum of Three Shillings for each Day.

Masters of Slaves to have 36 Hours Notice.

Penalty on Default of Attendance.

X. PROVIDED always, That no Person who is not Owner of more than Four Slaves, shall be obliged to send any to the Highways, but he shall be obliged to attend in Person, under the Penalty aforesaid.

Proviso. Altered by Act No. 232, Sec. 1st and 2d.

XI. AND be it further Enacted, by the Authority aforesaid, That the Way Wardens are hereby required, within Three Days after their amending the Highways at any time, to return under their Hands unto the Governor, Lieutenant-Governor, or President of the Council for the time being, a just and true List of all the Defaulters within their respective Parishes, who failed of having a white Person attending at the Repair of the Highways, or sending a just Proportion of their Slaves, as ordered by the Way Wardens Warrant, and of

Way Wardens to return Defaulters in 3 Days. Extended to 4 Days by Act No. 232.

1740.

Penalties how to be levied.

Negroes to attend where Way Wardens direct.

Drains to be cut to carry Water out of the Highways, by the Way Wardens, if necessary.

Way Wardens may order the Owners, &c. to mend a particular Spot, and allow for it in the next general Attendance.

Highways to be turned through Lands on Occasion.

Owners to be satisfied out of the Treasury.

Owners to be paid all Damages hapning to their Slaves.

Breadth of the Roads.

Measure of some particular Paths.

Penalty on Owners encroaching on the Highways.

their particular Defaults; and the Chief Governor, Lieutenant-Governor, or President of the Council, is hereby impowered and required to issue his Warrant under Hand and Seal to the Provost Marshal, or his lawful Deputy, to levy on the Goods and Chattels of each several Defaulter sufficient to pay the Forfeiture of such his Default, with Charges, and to make Sale thereof by Public Outcry at the nearest Town, as is usual in like cases; and whenever the Negroes are summoned to amending the Highways, the Way Wardens shall direct them to meet at any Part of the Highways that they shall appoint in their respective Parishes, and to continue working on the said Highways in such Manner as the Way Wardens shall direct, for repairing all the Highways in the Parish until they are finished.

XII. AND be it further Enacted, by the Authority aforesaid, That it shall be lawful for the Way Wardens, or one of them, to direct, or cause to be made, convenient Drains or Sluices for carrying the Waters out of the Highways into any adjacent Lands, without being liable to Molestation or Action for the same, provided it can be done without great apparent Damage to the Possessors of the said Lands: And where it shall happen that some particular Part of a Highway shall be washed by great Rains, or otherwise out of Repair, so that a few Hands may mend it, the Way Wardens, or one of them, shall and may direct the Masters, Managers, or Occupiers of One, Two, or more of the adjacent Plantations, to attend with a proportionable Number of Slaves and amend the same, and such Work, according to the Number of Slaves employed thereon, shall be allowed to the Persons who attend and send their Slaves thereon, out of the next general Attendance and Work that shall be in the Parish on their Highways.

XIII. AND be it further Enacted, by the Authority aforesaid, That where the Highways shall happen to be washed into Gutts by great Rains, or otherwise rendered impassable, and not fit to be amended, there it shall be lawful for the Surveyors, with Consent of the major Part of the Freeholders then present at amending the Highways, to turn the Highway through the nearest adjacent Land; and in that Case the Surveyors, and Two Freeholders, shall agree with the Proprietor of the said Lands for the Value of the Land so taken up for the Highway, which if the Proprietor shall refuse to do, or be absent from the Island, then the Surveyors and two Freeholders shall appraise the said Land or Damage which the Owner or Possessor, or both, shall sustain by the Highways being made through his or her Land, and report the same under their Hand, and upon Oath taken before any Justice of the Peace, which Report shall be a sufficient Voucher to the Treasurer for the Time being to pay the said Appraisement out of the Public Treasury.

XIV. AND be it further Enacted, by the Authority aforesaid, That if any Slave by working on the Highways shall happen to be killed, or otherwise damaged, the Way Wardens, or one of them, shall certify the Value of such Slave, or the Hurt he has received, on his or their Oaths before a Justice of the Peace under his or their Hands, according to the best of his or their Judgments, and the Value of such Slave, or the Damage he has received, shall be paid for out of the Public Treasury on such Certificate.

XV. AND be it further Enacted, by the Authority aforesaid, That the King's lower Highway which leads round the Island shall be full Twenty four Foot wide, and the upper Highway shall be Twelve Foot wide except the Hill Sides of the several Gutts, and except particular Places on the *Old Road Bay*, and elsewhere, where the Path cannot be extended to that Breadth without very great Labour and Difficulty, and in those Places it shall be sufficient that the Highway be kept repaired to the Breadth it has usually been or can be conveniently extended to; and all other Highways in any Parish shall be kept open and amended to the Width they have customarily been used to be; and no Part of the upper or other Highways shall be hereafter opened or deemed as such, which have not been kept open and used within Seven Years before the Date of this Act, and the Way Wardens are strictly required to keep all the Highways in their several Parishes extended and repaired to the aforementioned Extents.

XVI. AND be it further Enacted, by the Authority aforesaid, That the Path leading from *Francis Guichard*, junior's Shop, in the Town of *Sandy-Point*, to the Southermost Bounds of the Plantation of *Benjamin Markham*, junior, Esquire, shall remain as allowed by the Commissioners for Sale of the *French Lands*; any thing herein contained to the contrary thereof in any wise notwithstanding.

XVII. AND be it further Enacted, by the Authority aforesaid, That if any Person has encroached on the Highway with his Fences, or shall hereafter neglect to cut, trim, and keep low all the Trees, Hedges, and Fences within his respective Plantation, so as the same may not be an Encroachment or Nuisance to the Highway, or shall throw any of the Trimmings or Loppings of his or their Fences, or any thing out of his or their Land into the Highway; in such Case the Surveyors, or one of them, shall give Notice under their Hands to the Possessor or Occupier of the Land to remove his Fences, or to cut and trim the same, so as the Highway may be of the full Breadth or Extent directed by this Act; which if the said Possessor or Occupier shall refuse or neglect to do within Fourteen Days after such Notice given him, and

and being thereof convicted by the Oath of one of the Surveyors before any Justice of the Peace, he shall forfeit the Sum of Ten Pounds, to be levied on his Goods and Chattels by Warrant from the said Justice, directed to the Provost Marshal or his lawful Deputy, as usual; and the Surveyors at the next repairing the Highways may cut down and lay waste all the Fences of such Person or Persons so refusing as aforesaid, to remove or trim their Fences, that the Path may be of its just Breadth.

1740

XVIII. Provided always, That where the Lands on the two Sides of a Highway are Possessed by Two distinct Owners, there the Person who by the Evidence of the Neighbours, or otherwise, shall appear to the Way Wardens to have encroached on the Highway by his Fences, shall be deemed the Offender, and the only Person liable to the Penalty aforesaid.

XIX. AND whereas several Persons have made a Practice of feeding and pasturing their Cattle and Stock along His Majesty's Highways in this Island, which not only proves an Obstruction to the Roads, and inconvenient to Passengers, but is frequently attended with Damages and Trespasses to Persons whose Lands lie contiguous to the said Roads; be it Enacted by the Authority aforesaid, That immediately from and after the passing of this Act, no Person or Persons whatever, shall presume to feed or pasture any Cattle or other Stock in the Highways or public Paths of the said Island, under Penalty of Three Shillings for each Head of Cattle or other Stock, to be levied by Warrant under Hand and Seal of one of His Majesty's Justices of the Peace for the said Island; one Half whereof to be paid to such Person as shall inform of the same, and the other Half to be paid to the Church Wardens of the Parish where such Offence is committed, for the Use of the said Parish.

XX. AND whereas the Highway which leads through the Mountains from the Parish of *Christ-Church, Nichola-Town*, on the Windward Side of this Island, to the Parish of *St. Thomas, Middle-Island*, on the Leeward Side of the same, though it be not of that general Advantage as formerly to the whole Island, yet is still of great Convenience to Travellers who have Occasion to pass from one of these Parishes to the other, and may be of greater Advantage, by keeping a free and easy Communication of one Part of the Island with the other, in case of a War; be it therefore Enacted, by the Authority aforesaid, That the Way Wardens of *Nichola-Town* shall twice every Year summon an usual Quota of Negroes of their Parish with white Persons to attend them, and to meet at the Path leading up to Mr. *Spooner's* lower Work, and from thence the Way Wardens shall clean and repair the said Highway to the Bottom of *Nine-Turn-Gutt*, making the same at least Eight Foot wide, and fit for Travellers on Foot or on Horse-back; and in like manner the Way Wardens of *St. Thomas-Middle-Island*, shall clean and amend the said Highway on the Leeward Side of the said Island, from the lower Highway to the Bottom of the said *Nine-Turn-Gutt*.

XXI. PROVIDED nevertheless, That it shall be lawful for the said Way Wardens to agree with *Charles Pym*, Esquire, or the Person who shall at any time be in the Possession of the Plantation through which the said Highway passes, to keep the same in constant Repair, and to allow the said *Charles Pym*, or other Person, for their said Work in proportion for the same out of the general Attendances and Work that shall be in that Parish on their Highways.

XXII. AND be it further Enacted, by the Authority aforesaid, That where any Proprietor of Land claimeth a Right, or hath a Necessity for a Path which is to go through another Man's Land below him, and any Dispute shall arise thereon, there the Way Wardens, or one of them, with Two Freeholders, One to be made Choice of by each Party, shall have full Power to adjudge and determine the same, and to lay out a Path at the Expence of the Party that desires the Path, with the least Inconveniency that may be to each Party; but the Way Wardens shall first swear the Freeholders to do Justice without Favour or Affection; and if one Party doth neglect to make Choice of a Freeholder, or doth not appear at the Time appointed, the Surveyors, or one of them, and the Freeholder made choice of by the other Party, shall determine the same.

XXIII. PROVIDED, That no Person shall be intitled to Two private or Plantation Paths through another Man's Lands at one and the same Time.

XXIV. AND be it further Enacted, by the Authority aforesaid, That every Constable refusing or neglecting to execute any Precept of the Way Wardens; and any Person disturbing the Way Wardens, or Constables, or any of them, in the due Execution of their Offices, and being thereof convicted upon Oath before any Justice of the Peace, shall forfeit the Sum of Five Pounds for every Offence, to be levied by Warrant under the Hand and Seal of the said Justice, directed to the Provost Marshal, or his lawful Deputy.

XXV. AND whereas it is highly necessary that the common Paths leading up to the several Rivers in this Island be kept open, for the Conveniency of the Inhabitants thereof to fetch Water from thence; be it Enacted by the Authority aforesaid, That all Paths commonly known and used for River Paths be kept open at least Six Foot wide, so that free Ingress may be had thereto; and in case they should be less, the Way Wardens are hereby authorized and empowered to open the same, so that they do not exceed Six Foot; and any

Proviso

Penalty on feeding Cattle by the Sides of Roads

Directions to the Way Wardens of Nichola-Town

and of St. Thomas Middle Island

Proviso

How Disputes about private Paths shall be settled

Proviso

Penalty on disturbing Officers in the Execution of their Office

Common Foot Paths to be 6 Foot wide

Person

1740.

Penalty.

Person offending, or stopping any of the said Paths, shall forfeit and pay the Sum of Five Pounds current Money, to be recovered and applied as is in this Act before directed: Provided, That this Clause, or any Part thereof, does not extend to such Persons who have any real Property in any of the Rivers aforesaid.

Penalty on Public Nuisances.

XXVI. AND whereas several Persons have used a Practice very pernicious to the Inhabitants, and others in the several Towns of this Island, by throwing of Dung, and other Filth, and making of Sinks, so that the same runs through the Streets thereof, to the great Nuisance of the said Inhabitants; for the remedying so great an Evil, be it Enacted by the Authority aforesaid, That any Person so offending, either by throwing of Dung, or other Filth, or by making of Sinks, and do not immediately, upon Notice thereof by any of the Way Wardens in the Parish where any of the Offences aforesaid are committed, remove the same, and being convicted thereof before one or more Justices of the Peace for the said Island, shall forfeit and pay the Sum of Five Pounds for each such Offence; one Half whereof to be paid to the Informer; and the other Half to the Church Wardens of the Parish where such Offence is committed, for the Use of the said Parish, to be levied by Warrant of Distress under the Hand and Seal of one or more Justices of the Peace for the said Island, which Warrant shall be directed to any Constable of the Parish where such Offence is committed.

Penalty on cutting down Woods near Springs-heads.

XXVII. AND whereas great Inconveniencies arise by clearing the Mountains and Woods near the Heads of Rivers and Springs, in drying up the Streams, by exposing them to the Sun; be it Enacted by the Authority aforesaid, That all Persons that shall clean or cut down, or cause to be cleaned or cut down such Woods near any Heads of Rivers or Springs that run into the public Rivers of this Island, within Forty Yards of such Heads of Rivers or Springs, shall forfeit and pay the Sum of Ten Pounds current Money, to be levied and disposed of as is hereinafter directed; and if any Way Warden shall neglect his Duty, by suffering the Ways to lie unrepaired or uncleansed, or otherwise contrary to this Act, he shall, upon Complaint made to any Justice of Peace upon Oath, be bound to appear at the next Session to answer the same, or may be presented at the Sessions for the same, and be there proceeded against in the Discretion of the Court.

Disposition of Fines.

XXVIII. AND be it further Enacted, by the Authority aforesaid, That all Fines and Forfeitures arising by this Law, and not otherwise herein disposed of, shall be for the Use of the respective Parish where such Default is made; and the Provost Marshal, or his lawful Deputy, is hereby required and obliged to pay unto the Church Wardens of such respective Parish, or one of them, all such Sum or Sums of Money arising for Offences committed against this Act, and not otherwise disposed of, within Ten Days after he shall have received the same; and the said Monies are hereby appropriated in the first Place to amending the Highways, if necessary, or else to any other Contingencies of such said Parish; and if any further or other Sum or Sums of Money shall at any time be thought necessary by the Way Wardens, and the Majority of the Parishioners present, to be expended towards amending or keeping in Repair the Highways of any Parish, there it shall be lawful for the Way Wardens to expend such necessary Sums; and the Church Wardens of such Parish are hereby required and empowered to pay the same out of the Monies in their Hands, or which shall come to their Hands by any Act of Vestries, for the Uses of such said Parish: And if any Person or Persons whatsoever shall be sued or molested for any thing done by virtue of this Act, he or they may plead the General Issue, and give this Act in Evidence in such Suit; and if the Plaintiff in such Suit be nonsuited, or discontinue his Action, or a Verdict be found against him, or Judgment be awarded against him on Demurrer, in each and every of the said Cases such Plaintiff shall pay treble Costs of Suit.

General Issue.

Treble Costs.

General Act,

XXIX. AND be it further Enacted, by the Authority aforesaid, That this Act shall be deemed a General Act, and all Judges, Justices, and Jurors are to take Notice thereof accordingly.

and Perpetual.

XXX. PROVIDED always, That this Act shall not be in Force until confirmed by His Most Sacred Majesty; and after Confirmation thereof by His said Majesty signified to His said Majesty's Chief Governor of His Leeward *Charribbee* Islands, and thereupon a Publication of this Act made by the Provost Marshal, or his lawful Deputy; this Act and every Clause, Matter, and Thing herein contained, shall be, endure, remain and continue in full Force, Vigour, and Effect in this Island for ever.

No. 112.

An Act for constituting a Court Merchant.

Preamble.

WHEREAS many Differences happen between Persons trading to and from this Island, and others resident thereon, which by reason of the Necessity of the sudden Departure

ture of such trading Persons, and of the Witnesses concerned therein, cannot be decided in the usual Courts according to the ordinary Times therein accustomed and allowed, to the great Detriment and Injury of such trading Persons: For the preventing thereof, We, Your Majesty's most loyal and obedient Subjects, the Governor and Commander in Chief of all Your Majesty's Leeward *Gbarribbee* Islands in *America*, and the Council and Assembly of Your Majesty's Island of *St. Christopher*, humbly pray Your Most Sacred Majesty that it may be Enacted and Ordained; and be it, and it is Enacted and Ordained, by the Authority aforesaid, That the Chief Judge of this Island for the time being, or, in case of his Death, Absence, or Sicknefs, the Eldest Assistant, upon Petition of any Person or Persons who shall hereafter arrive, and such Person or Persons first making Affidavit in Writing before the Chief Judge for the time being, or any Assistant of the Court of King's Bench and Common Pleas of this Island, in Manner and Form following, *viz.*

1740.

I A. B. do swear, That I do fully design and intend to depart from this Island in the Ship or Vessel now lying in the Road of within this Island, by the first Departure of the said Ship or Vessel from this Island; and that I did not at my coming to this Island, or at any time since, intend to reside in this Island for any Time exceeding Six Months after my Arrival here; and that the Goods by me sold, and for which I do now desire to have this Court called, are belonging to myself, or to Persons not residing within this Island, and are not, directly or indirectly, sold for the Benefit or Advantage of any Person or Persons residing within the same.

The Oath.

Shall cause a Court to be held within Four Days after such Petition delivered, and the making due Publication thereof: And that such Person or Persons so petitioning, as aforesaid, shall file a Declaration in the Secretary's Office of this Island, as usual in other Cases, a true Copy thereof, attested by the Secretary, or his lawful Deputy, and annexed unto a Writ of Summons, which Writ of Summons shall be in the Form following;

Court Merchant to be held in Four Days after petitioning.

GEORGE the Second, by the Grace of God, King of Great Britain, France, and Ireland, Defender of the Faith, &c. To our Provost Marshal of our Island of St. Christopher, or his lawful Deputy, greeting:

Form of the Writ of Summons to the Defendant.

WE command you to summon A. B. to be and appear before Our Justices of Our Court Merchant, to be held for this Island the next, at of the Clock in the Forenoon, at the Town of then and there to answer the Action or Actions commenced against him by C. D. and hereof you are not to fail, as you will answer the contrary at your Perils, and do then and there make a due Return of this Writ of Summons.

Witness

Our Chief Justice of our said Island,

or

Our Eldest Assistant.

Which said Declaration and Writ of Summons annexed, shall be served upon the Person of the Defendant, or left at his House or most usual Place of Abode, at least Two Days before the Sitting of the Court: And if the Defendant makes Default, and Oath made of being duly summoned, or appearing shall not join Issue of the Matter of Fact, or plead some good Matter in Bar of the Action, or in Abatement of the Writ or Demur, the Plaintiff's Evidence shall be taken, and Judgment shall be immediately entered against the Defendant; but if the Defendant join Issue, plead or demur, then a Day shall be given for Trial of the said Matter of Fact, or determining the said Matter of Law the next ensuing Court, which shall be held within Four Days after the Sitting of the former; and if at that Day the Defendant make Default when called, Judgment shall be entered against him, as aforesaid, and if he does appear, then the Fact to be tried by the Jury to be summoned the Day before: And if any Plea in Abatement, or Demurrer be allowed by the Court, then the Plaintiff shall immediately amend, paying Fourteen Shillings Cost, and the Defendant shall then join Issue, and Judgment shall be immediately given on the Verdict, unless the Defendant desire a Day to move in Arrest of Judgment, which shall be granted by the Court, so that it be not above Three Days longer Time; and Execution shall issue thereon the next Day after Judgment, either by *Fieri facias* to take the Goods, or *Capias ad Satisfaciendum* to take the Body of the Defendant, at the Plaintiff's Election, unless Judgment staid by Motion in Arrest of the same; and in case the Plaintiff shall neglect to appear at any Sitting of the Court, when called, then a Nonsuit to be entered against him.

Form of Proceedings in the Court Merchant.

1740.

When to be
deemed a Resi-
dent.

Proceedings on
Goods taken in
Execution.

II. PROVIDED always, That if any Person shall continue longer upon this Island than Six Months together, he shall be deemed a Resident, and not intitled to the Benefit of this Act; any thing hereinbefore contained to the contrary thereof in any wise notwithstanding.

III. AND be it further Enacted, by the Authority aforesaid, That whenever any Goods, Chattels, and Negroes, Sugar, Rum, Cotton, Molasses, Ginger, Indigo, Tobacco, or any other the Produce of this Island, shall be taken in Execution by virtue of this Act, that a Warrant shall issue under the Hand and Seal of the Chief Justice of this Island, or, in case of his Sicknefs or Absence, under the Hand and Seal of the Eldest Assistant of the Court, commanding the Plaintiff and Defendant, within Two Days, to nominate Two Persons, on each of their Behalf, to value and appraise upon Oath, as usual, such Goods, Chattels, Negroes, Sugar, Rum, Cotton, and other the Produce of the said Island, as above mentioned, together with the Cask or Bag wherein the same is contained; and in case either Party shall refuse to nominate Appraisers, as aforesaid, or that the Appraisers so nominated shall neglect or refuse to act, or shall not agree at what Rate to value the said Goods, that then, and in such Case, the Chief Judge, or, in his Sicknefs or Absence, the Eldest Assistant, is hereby ordered and directed to nominate an Appraiser or Umpire to value the same; and the said Commodities when valued and appraised, as aforesaid, shall be delivered to the Plaintiff in Satisfaction of his Debt; and if such Goods, when appraised, shall come to more than will pay the Plaintiff's Debt, that in such Case the Plaintiff shall satisfy the Defendant for such Overplus.

Penalty on Appraisers or Umpire refusing to act.

IV. AND be it further Enacted, That when any Appraiser or Appraisers, or Umpire, so nominated, and being duly served with the Warrant, shall neglect or refuse to act pursuant to such Warrant, he or they shall respectively forfeit the Sum of Twenty Pounds current Money of this Island, and an Attachment to issue against such Person or Persons refusing to pay the same; and when paid, to be applied to the Use of His Majesty, His Heirs, and Successors, one Moiety towards building and repairing the Forts and Fortifications of this Island, and the other Moiety towards defraying the Charges of the Court; and if such Umpire appointed by the Chief Justice or Eldest Assistant, shall refuse to act, as aforesaid, that then the Chief Justice, or Eldest Assistant, is hereby authorized to appoint any other Person to be Umpire, who shall be under the same Penalties as Appraisers and Umpires before mentioned.

What shall be
deemed a legal
Tender.

V. AND be it further Enacted, by the Authority aforesaid, That Sugar, Rum, Cotton, Molasses, Ginger, Indigo, Tobacco, or any other merchantable Commodities of the Produce of this Island, brought down to any legal Paying-place in this Island (unless a Place be particularly agreed on) in Cask or Bags, and there tendered (Four Days Notice being given of such Tender) shall be a good and legal Tender in all Cases within this Act, provided the same be tendered at a Price that shall be approved by the Jury that tries the Cause.

Court for Trial
of Actions not
exceeding 100l.

VI. AND be it further Enacted, That the Chief Justice of this Island, or, in case of his Death, Absence, or Sicknefs, the Eldest Assistant, and any Two of the other Assistants, be, and are hereby appointed and authorized to hold a Court for Trial of all Actions of Debt, or Case for Goods, Wares, and Merchandizes, not exceeding the Sum of One hundred Pounds, which shall be prosecuted, as aforesaid, by any Transient Person against a Resident of this Island, or by a Resident against a Transient, or by a Transient against a Transient.

Court Charges.

VII. AND be it further Enacted, That all Actions prosecuted by virtue of this Act, the same Fees shall be paid to the Chief Justice, Secretary, and Marshal, as are taken by the Docket of Fees appointed for that Purpose, with this Alteration only, that where any Cause comes to be tried by a Jury, the Plaintiff shall pay down Forty two Shillings current Money of this Island into Court, to defray the Charges of the Jurors, which is to be paid equally amongst the Jurors, after a Verdict brought in, and not before; which said Forty two Shillings shall be allowed in Costs of Suit.

Manner of Residents suing Transients.

VIII. AND be it further Enacted, by the Authority aforesaid, That where any Person or Persons, being a known Resident or Residents, Freeholder or Freeholders within this Island, shall desire any Court to be called by virtue of this Act, for the prosecuting any Transient Person for Debt, or in any Action of the Case for Goods sold, not exceeding One hundred Pounds, such Person or Persons, so desiring such Court to be called, shall not be obliged to make any such Affidavit as is required where the Transient Person is the Plaintiff, but shall and may proceed by Warrant of Arrest, as is usual against such Transient Person or Persons, who shall be obliged to find Security, by Two sufficient Freeholders, to answer the Effect of the Suit, and satisfy the Judgment, or else to surrender the Body of the Defendant, as usual in Cases of Bail, or else the Defendant shall be and remain in Custody; and in the last mentioned Case the Plaintiff shall only be obliged to file his Declaration Two Days, exclusive, before the next Court Day, and shall not be obliged to any other Service thereof.

Small Debts.

IX. AND be it, and it is hereby Enacted, by the Authority aforesaid, That all Debts due, as aforesaid, not exceeding Ten Pounds current Money of this Island, shall be determined,

upon

upon Complaint by the Court alone, without a Jury, for which no more Fees shall be taken than for Complaints in the Courts of King's Bench and Common Pleas. 1740.

X. AND be it Enacted, by the Authority aforesaid, That all Courts Merchant to be called by virtue of this Act, shall be held in the Town nearest to the Place of Abode of the Defendant. Court Merchant nearest the Defendant.

XI. AND be it further Enacted, by the Authority aforesaid, That the Court hereby established shall be a Court of Record for and during the Continuance of this Act; and the Jurors making Default of Appearance, shall be liable to be fined by the Court in a Sum not exceeding Forty Shillings. Court of Record Jurors Default.

No. 113.

An Act for revising an Act, intituled, An Act for continuing An Act, intituled, An Act for revising an Act, intituled, An Act for continuing the Work of the Fortifications, Forts, and Batteries of this Island, and for obliging all Owners and Possessors of Slaves to send a Proportion of their said Slaves to the same, for such Time as therein is mentioned; and for amending and altering several Parts and Clauses in the said Act mentioned and contained. Expired.

No. 114.

An Act for appointing James George Douglas, Esquire, Agent in Great Britain, for the Island of St. Christopher, in the Room of Richard Coope, Esquire; and for settling a Salary upon him during the Time of his Agency. Expired.

No. 115.

An Act to prohibit Masters of Ships, Sloops, and other Vessels, from landing Aliens or Foreigners in this Island, without a Licence from the Commander in Chief upon this Island, or some Magistrate for so doing. 1741. Expired.

No. 116.

An Act for applying several Sums of Money therein mentioned, for the Use of the Fortifications, and other contingent Services in the Island of St. Christopher. Expired.

No. 117.

An Act to establish and regulate a Militia for the Island of St. Christopher. Expired.

No. 118.

An Act to prohibit Masters of Ships, Sloops, and other Vessels, from landing Aliens or Foreigners in this Island, without a Licence from the Commander in Chief upon this Island, or some Magistrate for so doing. Expired.

1741.

No. 119.

Expired.

An Act to revive and continue an Act, intituled, An Act, for continuing the Duty on Gun Powder and Small Arms, upon the Tonnage of Vessels trading to and with this Island.

No. 120.

Expired.

An Act for continuing the Work of the Fortifications, Forts, and Batteries of this Island, and for obliging all Owners and Possessors of Slaves, to send a Proportion of their said Slaves to the same, for such time as is therein mentioned.

No. 121.

Expired.

An Act for the Relief of Insolvent Debtors.

No. 122.

Expired.

An Act for the more effectual preventing the Exportation of Provisions from this Island, to any Foreign Government.

No. 123.

An Act for reviving and making perpetual, An Act, intituled, An Act for the better regulating of Seamen and Sailors, and obliging all Masters of Ships, and other Vessels, to take care of their sick Seamen or Sailors.

No. 100.

Vid. No. 107.
Where the Provisions of the Act of 1735, are enlarged, and the same Act set forth Verbatim.

WHEREAS an Act of the Chief Governor, Council, and Assembly of this Island, passed the Twenty fourth day of June, in the Year of Our Lord One Thousand Seven Hundred and Thirty Five, intituled, An Act for the better regulating of Seamen and Sailors, and obliging all Masters of Ships, and other Vessels, to take care of their sick Seamen or Sailors, hath been for some time expired: And Whereas the Navigation of this Island, still labours under great Difficulties and Disappointments, by Reason of the disorderly Behaviour of Sailors and Seamen, occasioned chiefly by the Entertainment and Credit they meet with in Punch Houses, and also by Sailors leaving the Vessels they have been entered in, before they have performed the Voyage for which they were entered, encouraged thereto by their being shipped at higher Wages by Masters of other Vessels: And whereas also sick and disabled Sailors have been frequently left upon this Island by their respective Captains, whereby great Expence and Charges have accrued to the several Parishes in this Island, for their Maintenance and Burial; For the preventing of all which Inconveniences for the future, We, Your Majesty's Most Dutiful and Loyal Subjects, the Governor and Commander in Chief in and over all Your Majesty's Leeward *Charribbee* Islands in *America*, and the Council and Assembly of Your Majesty's Island of *St. Christopher*, do most humbly pray Your Majesty, that it may be Enacted; and be it, and it is hereby Declared and Enacted, by the King's Most Excellent Majesty, by and with the Advice and Consent of the Governor in Chief of all His Majesty's Leeward *Charribbee* Islands in *America*, and the Council and Assembly of the said Island of *St. Christopher*, and by the Authority of the same, That the said Act abovementioned, and every Clause, Matter, and Thing therein contained, shall be, and is hereby Revived and made Perpetual. Dated in *St. Christopher*, this Thirty First Day of August, in the Year of Our Lord One Thousand Seven Hundred and Forty One, and in the Fifteenth Year of His Majesty's Reign.

Passed the Assembly the Twelfth }
Day of August, 1741. }
CRAISTER GREATHEED,
Clerk of the Assembly.

Passed the Council the Twelfth }
Day of August, 1741. }
ALEXANDER COOPER,
D. Sec.
Passed

Passed by the Chief Governor the Thirty First Day of *August*, 1741.

1741.

WILLIAM L. S. MATHEW.

St. Christopher's, *September* 14, 1741. Then Published this Act.

JOHN SHEPHARD,

D. P. Marshal.

Recorded and examined by ALEXANDER COOPER,

D. Sec.

No. 124.

An Act for reviving an Act, intituled, An Act for continuing the Work of the Fortifications, Forts, and Batteries of this Island, and for obliging all Owners and Possessors of Slaves, to send a Proportion of their said Slaves to the same, for such Time as is herein limited. *Expired.*

No. 125.

1742.

An Act to regulate the Office of Provost Marshal, in the Island of St. Christopher.

WHEREAS the Office of Provost Marshal in this Island, hath during many Years last past, been exercised by Deputies, several of which have died Insolvent, whereby many Suitors in the Courts of this Island have lost Debts, which have been levied and received by such Insolvent Deputies, and many other gross Neglects, Misdemeanours, and Abuses have been committed in the Execution of the said Office, to the great Delay of Justice and grievous Damage of the Inhabitants of this Island; for Remedy thereof for the future, We, Your Majesty's most dutiful and loyal Subjects, the Governor in Chief of all Your Majesty's Leeward *Charribbee* Islands in *America*, and the Council and Assembly of the said Island of *St. Christopher*, do hereby humbly pray Your Most Excellent Majesty, that it may be Enacted; and be it, and it is hereby Enacted, by the King's Most Excellent Majesty, by and with the Advice and Consent of his said Governor in Chief, and of the Council and Assembly of the said Island of *St. Christopher*, and by the Authority of the same, That the Provost Marshal of this Island for the Time being, or his Deputy or Deputies, who shall act in his Room or Stead, shall enter into a Recognizance with Two or more sufficient Sureties, to be approved of by the Justices of the Court of King's Bench and Common Pleas of this Island, or the major Part of them, and the said Recognizance shall be taken before one of the Justices of the said Court, and shall be of the Penalty of Two thousand Pounds, current Money, unto His Majesty, His Heirs and Successors, conditioned for the true and faithful Execution of the said Office; which Recognizance shall within One Month after they are acknowledged, be enrolled of Record in the Secretary's Office of this Island, and then be lodged in the Register's Office of this Island; and the Register for the Time being, or his Deputy, is hereby authorized and required to demand and keep the same in his Office, there to remain cautionary for the Security of such of His Majesty's Subjects as shall be interested therein.

Preamble.

Provost Marshal or his Deputy, to give two or more sufficient Sureties.

Penalty of Recognizance.

Recognizance recorded.

II. AND it is hereby Enacted, That the said Recognizance shall be taken in His Majesty's Name, but they are declared to be only to and for the Use of and in Trust for such Person or Persons, as shall or may happen to be aggrieved by any Neglect, Misdemeanour, or Fraud committed in the said Office; and if any Person or Persons shall happen to be aggrieved, or suffer any Wrong or Damage by any Neglect, Misdemeanour, or Fraud of such Provost Marshal, or his Deputy or Deputies, or any Bailiff, Gaoler, Agent, or Servant acting under him or them in the said Office, such Person or Persons shall and may, in His Majesty's Name, bring a Writ of *Scire facias* upon such Recognizance, returnable in the Court of King's Bench and Common Pleas in this Island; to which said *Scire facias* the Defendant or Defendants shall be obliged to plead and come to issue, in the Second Court at farthest after the Date of such Writ, otherwise Judgment shall be given against him or them, as by *Nil dicit*; and when Judgment shall be obtained upon such Recognizance, no Execution

Recognizance to be taken in His Majesty's Name.

Any Person aggrieved may bring a Writ of *Scire facias*.

1741.

Writ of Enquiry
directed to the
Coroner.Writ returnable
in Fourteen
Days.

Coroner to levy.

tion shall issue thereon; but the Chief Justice of the said Court, or in his Absence or Disability, the next Justice in Commission; shall grant a Writ of Enquiry, which shall be directed to any Coroner of this Island; commanding him to enquire by Twelve good and lawful Men; upon their Oath, of the Damages sustained by the Person or Persons so aggrieved or injured; who shall prosecute such Writ of Enquiry, which Writ shall be executed and returned within Fourteen Days next after the same shall be delivered to the Coroner, and upon the Return of the same Inquisition; Judgment shall be given at the next Court of King's Bench and Common Pleas, for the Damage so found by such Jury, with Costs of Suit; and thereupon His Majesty's Writ of Execution shall issue, requiring the Coroner or his Deputy, to levy of the said Judgment so as aforesaid to be recovered upon such Recognizance, sufficient to satisfy the said Damages and Costs, and no more; and when levied, the same shall be immediately paid to the Person or Persons so found to be damaged or aggrieved; and the Judgment so as aforesaid obtained in His Majesty's Name upon such Recognizance, shall still remain cautionary, for the Satisfaction of such other Person or Persons as shall legally prove themselves damaged or aggrieved, shall commence their Suits respectively within One Year next after such Injury or Damage sustained; or else they shall be barred from claiming any Benefit by or under this present Act. NEVERTHELESS such Persons may prosecute any other Action or legal Remedy in like Manner as if the said Recognizance had never been acknowledged.

Penalty on Pro-
vost Marshal ex-
ecuting this Of-
fice before he en-
ters into Recog-
nizance.

III. AND be it further Enacted, That from and after the Expiration of Forty Days, to be calculated from the Publication of this Act, no Provost Marshal, or his Deputies, shall presume to act, or officiate in the said Office of Provost Marshal, within this Island, until he or they shall enter into such Recognizance as is hereinbefore directed, under the Penalty of Five hundred Pounds, current Money, for every Time he or they shall so officiate or act in the said Office, within this Island; which Penalty shall be recovered in any Court of Record in this Island, by Bill, Plaint, or Information, wherein no *Essoign*, Protection, Wager of Law, or *Non vult ulterius prosecute* shall be admitted or allowed; the one Half thereof to be paid to the Treasurer of this Island for the Time being, to be applied to and for the Use of His Majesty's Fortifications in this Island, and the other Half thereof to go to the Informer, or him that shall sue for the same.

Where Lands,
&c. are levied
on, to be sold as
by Law directed,
unless Plaintiff,
&c. shall consent
to put Sale off.Provost Marshal
and Coroner lia-
ble to pay Debt
and Costs for
neglect to sell
without he has
such Consent.Purchase Money
to be paid in
Twenty Days af-
ter Sale. If De-
fault be made,
20 per cent. to
be levied, unless
Plaintiff consents
to give further
Time.

IV. AND be it further Enacted, by the Authority aforesaid, That where any Execution issued, or to be issued out of any of the Courts of this Island, is or shall be levied upon any Lands or Tenements, Goods or Chattels, the same shall be exposed to Sale, at the Time, and in Manner and Form as by Law already appointed for such Sale, unless the Debt and Costs so levied for shall be first satisfied, or unless the Plaintiff in such Execution, or his Attorney or legal Representative, shall consent to put off such Sale, such Consent to be in Writing, signed by the Person so consenting; and if the Provost Marshal, or his Deputy, or any Coroner of this Island, or his Deputy, shall without such Consent, neglect or refuse by the Space of Ten Days next after the Day by Law appointed for such Sale, to attend and perform his duty in the Premises, then in that Case the said Provost Marshal and his Deputy, and such Coroner and his Deputy, shall respectively be liable to pay to the Plaintiff in such Execution, the Debt and Costs therein specified, in like Manner as if the same had been actually levied and received by the said Provost Marshal or his Deputy, or by the said Coroner or his Deputy; and if any Purchaser at such Sale shall neglect or refuse to pay to the Provost Marshal or his Deputy, or to the Coroner or his Deputy, the Purchase Money within Twenty Days next after such Sale made, unless the Plaintiff or his legal Representative shall consent to forbear such Payment, such Consent to be in Writing, and signed as aforesaid; then the said Provost Marshal or his Deputy, or the Coroner or his Deputy respectively, without any further Writ or Process, shall levy the said Purchase Money with Twenty Pounds *per Centum* more in Proportion, together with the Costs attending the said Levy, upon the Goods, Chattels, Lands, or Tenements of such Purchaser, and shall forthwith sell and dispose of the same at Public Outcry, and out of the Produce thereof, shall satisfy the Plaintiff his Debt and Costs, or apply the same to that Purpose so far as it will extend.

Provost Marshal
and Coroner to
pay on Demand
what they re-
ceive.Penalty on De-
fault or Delay.
5l. per Centum
per Menssem.

How recovered.

V. AND be it further Enacted, by the Authority aforesaid, That the Provost Marshal of this Island, and his Deputies, and all Coroners of this Island, and their Deputies, shall at all Times upon Demand, pay and satisfy unto the Plaintiff or Plaintiffs in every Writ of Execution which he or they shall receive, or to the Attorney or legal Representative of such Plaintiff or Plaintiffs, the Debt and Cost therein mentioned, or so much thereof as shall be then received; and in case of any Default or Delay in the Premises, such Delinquent shall forfeit and pay unto the Party or Parties grieved, at and after the Rate of Five Pounds *per Centum per Menssem*, for all such Monies as shall so remain unpaid, after such Demand made, the Time to be computed after making the said Demand, until the said Monies shall be actually paid to such Plaintiff or his legal Representative, which Forfeiture shall be recovered in any Court of Record in this Island, in manner above mentioned.

VI. AND for the Prevention of Disputes touching this Act, be it Enacted, by the Authority aforesaid, That the same and every Clause and thing therein contained, shall be deemed, adjudged, and taken to be a General Law; and that it shall not be needful to shew or set forth the same in pleading; and that the same and all Clauses herein contained shall be construed most largely and beneficially for the preventing all the Mischiefs, Abuses, and other Inconveniences herein provided against. Dated in St. Christopher's, this Twenty Ninth Day of April, in the Year of our Lord One Thousand Seven Hundred and Forty Two, and in the Fifteenth Year of the Reign of our Sovereign Lord GEORGE the Second, by the Grace of God, of Great-Britain, France, and Ireland, King, Defender of the Faith, &c.

1742.

Deemed a General Law.

*Passed the Assembly the Thirty
First Day of March, 1742.*

CRAISTER GREATHEED,
Clerk of the Assembly.

RALPH PAYNE, Speaker.

*Passed the Council the Nineteenth
Day of April, 1742.*

ALEXANDER COOPER,
D. Sec.

Passed by the Chief Governor the Twenty Ninth Day of April, 1742.

WILLIAM L. S. MATHEW.

May 4, 1742. Then published the foregoing Act.

JOHN SHEPHARD,
D. P. Marshal.

May 6, 1742. Recorded and examined by ALEXANDER COOPER,
D. Sec.

No. 126.

An Act for granting an Aid to His Majesty, by a Duty or Tax of Ten Shillings per Poll on all Negroes and other Slaves; and the further Duty of Five Pounds in the Hundred on all Houses, Warehouses, Shops, and Tenements, in the several Towns within this Island, to be applied in and towards Payment of the Public Debts, and for the other Uses and Services therein declared. Expired.

No. 127.

An Act to establish and regulate a Militia for the Island of St. Christopher. Expired.

No. 128.

An Act for continuing an Act near expiring, intituled, An Act for continuing the Duties upon Wines, Beer, Ale, Cyder, and other Liquors, to be imported into the Island of St. Christopher. Expired.

No. 129.

An Act for reviving an Act some Time since expired, intituled, An Act for reviving an Act, intituled, An Act for continuing the Work of the Fortifications, Forts, and Batteries of this Island, and for obliging all Owners and Possessors of Slaves, to send a Proportion of their said Slaves to the same, for such Time as is herein limited. Expired.

No.

1742.

No. 130.

Expired.

An Act for granting an Aid to His Majesty, by a Duty of Eight Shillings per Poll on all Negroes and other Slaves; and the further Duty of Five Pounds in the Hundred on all Houses, Warehouses, Shops, and Tenements, in the several Towns within the Island of St. Christopher, for and towards Payment of the Public Debts now due, supplying Brimstone-Hill with Provisions and Coal, fitting out a Sloop or other Vessel for a Guard-de-Costa, compleating the several Guard Houses already begun, and erecting new ones, and for repairing the several Forts and Fortifications within the said Island.

No. 131.

Expired.

A Supplementary Act to an Act, intituled, An Act to establish and regulate a Militia for the Island of St. Christopher, and for altering and amending the same.

No. 132.

Expired.

An additional Act to an Act, intituled, An Act for the more effectual preventing the Exportation of Provisions from this Island to any Foreign Government.

No. 133.

Expired.

A second Supplementary Act to an Act, intituled, An Act to establish and regulate a Militia for the Island of St. Christopher.

No. 134.

Expired.

An Act for granting an Aid to His Majesty, by a Duty or Tax of Two Shillings per Poll on all Negroes and other Slaves; and the further Duty of Two and a Half per Cent. on all Houses, Warehouses, Shops, and Tenements within this Island, for such sundry Public Uses and Services as in this Act are hereinafter declared; and for applying the Sum of One thousand Four hundred and Thirty Five Pounds, Eight Shillings, and Nine Pence, out of the Monies to be raised by Virtue of an Act of this Island lately passed, intituled, An Act for granting an Aid to His Majesty, by a Duty of Eight Shillings per Poll on all Negroes and other Slaves; and the further Duty of Five Pounds in the Hundred on all Houses, Warehouses, Shops, and Tenements, in the several Towns within the Island of St. Christopher, for and towards Payment of the Public Debts now due, supplying Brimstone-Hill with Provisions and Coal, fitting out a Sloop or other Vessel for a Guard-de-Costa, compleating the several Guard Houses already begun, and erecting new ones, and for repairing the several Forts and Fortifications within the said Island; and for appropriating the Overplus of the Monies arising out of and by Virtue of another Act of this Island, intituled, An Act for raising an annual Sum of Eight hundred Pounds, current Money, by a Duty or Tax of Fourteen Pence per Poll on all Negroes and other Slaves, within this Island; and the further Sum of Four hundred Pounds, current Money, by an additional Duty or Tax of Seven Pence per Poll on the said Negroes and other Slaves, for one Year, to be computed from the Twenty fifth Day of December last past, to be applied to the several Uses and Purposes therein declared and appointed.

No. 135.

1744.

An Act for vesting an Estate of Inheritance in Fee-simple, in such of the Inhabitants of this Island as have built or shall build Houses within the several Fortifications of Brimstone-Hill, Charles-Fort, and Fort Londonderry, in the Island of St. Christopher.

WHEREAS several Proportions of Land, within the Fortifications abovementioned, Preamble have been allotted unto Inhabitants of this Island, and many Parcels of Land within the same Fortifications now remain vacant, and unappropriated; and whereas divers Laws have been made and passed by the Legislature of this Island, to vest an Estate of Inheritance in such Inhabitants as have built or shall build Houses upon the said Proportions of Land, so allotted or to be allotted to them, which Laws, by Reason of a Limitation contained in them, have proved ineffectual to answer all the Purposes for which they were intended, We, therefore, Your Majesty's most dutiful and loyal Subjects, the Council and Assembly of the said Island of St. Christopher, do most humbly pray Your Majesty that it may be Enacted; and be it, and it is hereby Enacted, by and with the Advice and Consent of the Captain General and Governor in Chief in and over all Your Majesty's Leeward *Charribbee* Islands in America, and the Council and Assembly of the Island of St. Christopher, and by the Authority of the same, That where Proportions of Land within any of the said Fortifications have been allotted to any of the Inhabitants of this Island, and such Inhabitants have already built Houses thereon, all such Inhabitants and their Heirs severally and respectively shall and may, from henceforth for ever hold, possess, and enjoy in Fee-simple such Proportions of Land as are so respectively allotted to them, and built upon as aforesaid, with the Buildings and Improvements thereon erected; every such Inhabitant and his Heir paying therefore unto the Treasurer of this Island for the Time being, for the Use of His Majesty and His Heirs, the yearly Rent of one Pepper Corn, if lawfully demanded.

Inhabitants and their Heirs to hold Proportions of Land in Fee-simple forever, paying one Pepper Corn yearly.

II. AND be it further Enacted, by the Authority aforesaid, That where any Proportions of Land, not built upon, within any of the said Fortifications, have been or shall be allotted to any of the Inhabitants of this Island, by Direction or with the Approbation of the Commander in Chief upon this Island for the Time being, all such Inhabitants and their Heirs respectively, shall and may from henceforth forever severally hold, possess, and enjoy in Fee-simple, such Portions of Land under the like Yearly Rent, to be paid in the Manner as abovementioned, so as such Inhabitants do and shall build upon their respective Proportions of Land so allotted, or to be allotted to them, a Dwelling House of Stone, Brick, or Wood, within the Space of Three Years next after the Date of this Act.

Houses to be built in Three Years after the Date of this Act.

III. PROVIDED always, and it is hereby Enacted, that no Person whatsoever for him or herself and Family, shall be allowed to have more than Twenty Four Feet in Front, and Sixty Feet in Depth, or One Thousand Four Hundred and Forty Square Feet in Length and Breadth, to be in other Proportions where the Nature of the Ground by Declivities makes it intirely inconvenient, but so that the said Length and Breadth do make up the Quantity of One Thousand Four Hundred and Forty Square Feet, and no more, except his Excellency *William Mathew*, Your Majesty's present Governor in Chief, who is hereby authorized and empowered to chuse for himself upon Brimstone Hill aforesaid, a double Proportion of the Land by this Act directed to be allotted to each respective Inhabitant, thereon to erect such Buildings as he shall think proper, and the same to hold, possess, and enjoy in Fee-simple, for himself and his Heirs for ever, under the Yearly Rent aforesaid, any Thing herein before contained to the contrary notwithstanding; and that no Thatch shall be used in any Buildings erected, or to be erected within any of the said Fortifications, and that no Person but such of His Majesty's natural born Subjects as do actually reside and dwell in this Island, or are possessed of an Estate of Inheritance or Freehold within the same shall be entitled to hold, possess, and enjoy any Lands or Buildings, within any of the said Fortifications, any Thing herein contained to the contrary notwithstanding. Dated in St. Christopher's, this Twenty Sixth Day of October, in the Eighteenth Year of the Reign of our Sovereign Lord GEORGE the Second, by the Grace of God, of Great-Britain, France, and Ireland King, Defender of the Faith, &c. and in the Year of our Lord One Thousand Seven Hundred and Forty Four.

Proviso. Proportion of Land allowed each Inhabitant.

Governor in Chief allowed a double Proportion.

Passed the Assembly the Twenty Third Day of October, 1744.

JAMES LOSACK, Speaker.

Passed the Council the Twenty Third Day of October, 1744.

CRAISTER GREATHEED,

Clerk of the Assembly.

EDMUND TANNATT,

Clerk in Council.

Passed by the Chief Governor the Twenty Sixth Day of October, 1744.

WILLIAM L. S. MATHEW.

E b

No.

1744.

No. 136.

Expired.

An Act for the better regulating of and for laying a Tax on Vintners and Retailers of Wine, Rum and Rum Punch, and other strong Liquors, for lessening the Number of Distillers, and for the more effectual Prevention and Discouragement of harbouring, entertaining, and concealing of Sailors and Servants in the Island of St. Christopher, by Vintners and Retailers of the strong Liquors aforesaid.

No. 137.

Expired.

An Act for laying a Duty on Wine, Beer and other Liquors, imported into the Island of St. Christopher.

No. 138.

Expired.

An Act to amend and explain an Act lately passed, intituled, An Act for the better regulating of and for laying a Tax on Vintners and Retailers of Wine, Rum and Rum Punch, and other strong Liquors, for lessening the Number of Distillers, and for the more effectual Prevention and Discouragement of harbouring, entertaining, and concealing of Sailors, and Servants in the Island of St. Christopher, by Vintners and Retailers of the strong Liquors aforesaid.

No. 139.

Expired.

An Act for enlarging the Time limited for the Work of Negroes and other Slaves, upon the Forts and Fortifications of this Island, in and by An Act lately passed, intituled, An Act for reviving An Act some time since expired, intituled, An Act for reviving An Act, intituled, An Act for continuing the Work of the Fortifications, Forts, and Batteries of this Island, and for obliging all Owners and Possessors of Slaves, to send a Proportion of their said Slaves to the same, for such Time as is therein limited, and for continuing the said Act, for and during the further time of Three Calendar Months.

1745.

No. 140.

Expired.

An Act to amend two Acts herein particularly mentioned, viz. No. 122 and No. 132, which were to be in Force during the War, and no longer.

No. 141.

Private.

An Act to naturalize Francis Amedeus Des Fontaines.

No. 142.

Expired.

An Act to amend an Act, intituled, An Act for the better regulating and for laying a Tax on all Vintners and Retailers of Wine, Rum, and Rum Punch, and other Strong Liquors, and for lessening the Number of Distillers, and for the more effectual Prevention and Discouragement of harbouring, entertaining, and concealing of Sailors and Servants in the Island of St. Christopher, by Vintners and Retailers of the Strong Liquors aforesaid.

No.

No. 143.

An Act for the greater Security of this Island in Case of an Invasion.

1746.

This Act seems to have been made on the Emergency of the Times, and not now to be enforced; as several Acts of a similar kind have been since published. Vide Nos.

Preamble.

FOR the better Defence of this Island, in Case it shall happen to be invaded by a Foreign Enemy, We, Your Majesty's most Dutiful and Loyal Subjects, the Assembly of St. Christopher's, do pray Your Majesty, that it may be Enacted; and be it, and it is hereby Enacted, by the King's Most Excellent Majesty, by and with the Advice and Consent of the Governor in Chief of all Your Majesty's Leeward *Charribbee* Islands in America, and the Council and Assembly of the said Island of Saint *Christopher*; and by the Authority of the same, That with all convenient Speed; from and immediately after the Publication of this Act, all the Leeward Shore of this Island; from *Frigate-Bay* to *Deep-Bay*, both Places inclusive, and all other Landing Places on the North Side of this Island, lying to the Windward of *Deep-Bay*, and to the Leeward of *Cayon* Parish; shall be Intrenched in such Manner and Form as the Commissioners hereinafter to be appointed, or any two or more of them, shall direct and appoint; and also that Trenches and Breast Works shall be erected and made at such other Places within this Island, and in such Manner and Form as the said Commissioners, or any two, or more of them shall, with the Approbation of the Commander in Chief upon this Island for the time being, Direct and Appoint.

II. AND be it further Enacted, by the Authority aforesaid, That the Honourable *John Douglas*, and *John White*, Esquires, *James Losack*, *Ralph Payne*, *Thomas Tyson*, Esquires, and Mr. *Anthony Wharton*; or any two or more of them, shall be, and they are hereby named and authorized Commissioners, to put this Act in Execution in the Parish of St. *George*, *Basseterre*; and that the Honourable *John Douglas*, *William Ottley*, and *William Gibbons*, Esquire, and Mr. *John Johnson*, or any two or more of them shall be, and they are hereby named and authorized Commissioners to put this Act in Execution, in the Parish of *Trinity*, *Palmeto-Point*; and that the Honourable *James Verchild*, and *Charles Morton*, Esquires, Mr. *Robert Phipps*, Mr. *John Francks*, and Mr. *Jedediah Kerie*, or any two or more of them, shall be, and they are hereby named and authorized Commissioners to put this Act in Execution in the Parish of St. *Thomas*, *Middle-Island*; and that the Honourable *William Mathew Burt*, Esquire, *Stephen Payne*, *George Leigh*, *John Frank*, Esquires, and *Archibald Esdaile*, Esquire, and Mr. *Francis Guichard*, or any two or more of them, shall be, and they are hereby named and authorized Commissioners, to put this Act in Execution in the Parish of St. *Ann*, *Sandy-Point*; and that the Honourable *Joseph Estridge*, Esq. *Peter Brotherson*, *John Frank*, *John Orton*, and *Robert Heruol*, Esquires, or any two or more of them, shall be, and they are hereby named and authorized Commissioners, to put this Act in Execution in the Parish of St. *Paul*, *Capisterre*; and that the Honourable *Joseph Estridge*, Esquire, *William Estridge*, *Henry Sharp*, *Thomas Buncombe*, *Thomas Gaines*, and *Nicholas Gibbons*, Esquires, or any two or more of them, shall, and they are hereby named and authorized Commissioners, to put this Act in Execution in the Parish of St. *John*, *Capisterre*; and that the Honourable *John White*, and *Richard Wilson*, Esquires, *Constantine Phipps*, *Charles Laval Molineux*, Esquires, Mr. *William Crooke*, Mr. *William Wells*, and Mr. *Francis Blackmore*, or any two or more of them, shall be, and they are hereby named and authorized Commissioners, to put this Act in Execution in the Parish of *Christ-Church*, *Nichola-Town*, *St. Mary*, *Cayon*, and *St. Peter*, *Basseterre*.

Commissioners named.

III. AND be it also Enacted, That all and every Person or Persons whatsoever, being Owners, Possessors, or Renters of any Slaves within this Island, shall be, and they are hereby obliged and enjoined, from and immediately after the Publication of this Act, until the said Breast Works and Intrenchments shall be completely finished, to provide, furnish, and send to work in and about the said Breast Works and Intrenchments, one able Slave out of each Hundred Slaves in his, her, or their Possession, each Slave to have such Tools or Utensils; and to attend at such Time and Place as the said Commissioners or any two or more of them shall from Time to Time direct, and in like Proportion for any greater or lesser Number of Slaves, upon Pain to forfeit Three Shillings Current Money per Diem, for every Slave out of every Person's Proportion omitted or neglected to be furnished and sent in Manner aforesaid, which Penalty shall be applied towards making Breast Works and the said Intrenchments, and shall be from Time to Time levied with usual Costs, by Distress and Sale of the Defaulter's Goods and Chattles, by Warrant under the Hands and Seals of the said Commissioners, or any two or more of them, directed to any Constable of this Island.

Number of Slaves to be proportioned.

Penalty on Ref.

IV. AND be it further Enacted, by the Authority aforesaid, That the Number of Slaves that each Person shall be obliged to send by Virtue of this Act, shall be accounted from the last List taken for raising the Tax for Payment of the Salary of Eight Hundred Pounds Yearly to His Excellency General *MATHEW*, during his Government, and that each and

Number of Slaves taken from the last List.

every

1746.

every Person and Persons whatsoever shall be obliged to send their Slaves according to the said List, and not otherwise.

Commissioners
to direct Breast
Works and In-
trenchments to
be made where
they think pro-
per.

V. AND be it further Enacted, by the Authority aforesaid, That the said Commissioners, or any two or more of them, shall and may direct and cause the said Breast Works and Intrenchments to be made in Places as they shall think proper, through any Person's Lands without being liable to any Action or Suit for the same, and also that Stones for the Use of the said Breast Works shall and may be gathered and taken from any Person's Land lying adjacent, or near to the said Breast Works; and they the said Commissioners and all other Persons employed in and about the said Works and Intrenchments, shall have free Passage at all Times in the Day to and from the Works, so as they take all possible Care to avoid doing any Damage in such their Passage.

Damage recom-
penced.

VI. AND be it further Enacted, by the Authority aforesaid, That if any Person or Persons shall sustain any Damage by Reason of the said Works and Intrenchments being made upon their Lands, by the wounding, maiming, or killing of any Negro or other Slave sent to and employed on such Works, every Person so damaged shall be recompensed for the same out of the Public Treasury of this Island, such Damages to be settled by an Appraisement upon Oath of any two or more of the Freeholders of the Neighbourhood, to be for that Purpose named by the said Commissioners, or any two or more of them.

Chief Governor
to appoint Super-
visors.

VII. AND be it further Enacted, by the Authority aforesaid, That the Governor in Chief for the Time being, may from Time to Time appoint such Persons as he shall judge duly qualified to inspect, overlook, and keep at Work the Slaves to be employed about the said Intrenchments; which Persons are hereby required to keep a true and regular Journal, or daily Account of the Number of Slaves sent to the said Works, and of each Person's Name, to whom they respectively belong, which Journal shall be produced and delivered up, on Oath if required, whenever the same shall be demanded by the said Commissioners, or any two or more of them, and the Hire of the said Supervisors shall be paid out of the Public Treasury of this Island.

Supervisors to be
paid out of the
Public Treasury.

General Issue.

VIII. AND be it further Enacted, That if any Person or Persons shall be sued or molested for any Thing done by Virtue of this Act, he, she, or they may plead the General Issue, and give this Act and the Special Matter in Evidence for their Justification; and if the Plaintiff or Plaintiffs be nonsuited, or discontinue such Action, or a Verdict be found against such Plaintiff or Plaintiffs, or if Judgment be awarded for the Defendant upon a Demurrer or otherwise, in each and every of said Cases, such Plaintiff or Plaintiffs shall pay Treble Costs of Suit, and this Act is hereby declared to be a General Law, and all Courts, Judges, and Justices are to take Notice thereof accordingly.

General Law.

To appoint new
Commissioners.

IX. AND to prevent any Obstruction or Delay which may happen in the Execution of this Act, by Reason of the Absence from this Island or Death of the said Commissioners, or any of them, be it further Enacted, by the Authority aforesaid, That the Council and Assembly of this Island for the Time being, shall and may, by a Vote of each House, from Time to Time, when, and as often as they shall see Occasion, name and elect new Commissioners, to supply the Places of such as shall so happen to die, or be absent from this Island. Dated in St. Christopher's, the First Day of August, in the Twentieth Year of the Reign of our Sovereign Lord GEORGE the Second, by the Grace of GOD, of Great Britain, France, and Ireland King, Defender of the Faith, &c., and in the Year of our Lord One Thousand Seven Hundred and Forty Six.

Passed the Assembly the Twenty
Fifth Day of July, 1746.
CRAISTER GREATHEED,
Clerk Assembly.

JAMES LOSACK, Speaker.

Passed the Council the Twenty
Fifth Day of July, 1746.
SIMON DUPORT,
Clerk in Council.

Passed by the Chief Governor the First Day of August, 1746.

WILLIAM



L. S.

MATHEW.

Published this Act in Basseterre Town, August 12; in Old-Road Town, August 13; in Sandy-Point, August 14, 1746.

The Answer of PETER THOMAS TYSON,
D. P. Marshal.

Recorded and Examined this 28th Day of August, Anno Dom. 1746,

SIMON DUPORT, D. Sec.

No.

No. 144.

1746.

An Act to indemnify the Sufferers for the Damages sustained by Depredations committed by the Enemy, by Descent from their Ships of War or Privateers. Expired.

No. 145.

An Act for a Watch to be kept in the Towns of Basseterre and Irish-Town, in the Parish of St. George, Basseterre, in this Island, in the Night Time. Expired.

No. 146.

An Act for raising a Duty on Gun Powder and Small Arms, upon the Tonnage of Vessels trading to and with this Island; and to encourage the Importation of Lumber, Stock, and Provisions in Vessels of small Burthen. Expired.

No. 147.

An Act to naturalize James Zinserling. Private.

No. 148.

An Act for granting an Aid to his Majesty, by a Duty of Five Shillings per Poll on all Negroes and other Slaves; and the further Duty of Three Pounds in the Hundred on the Value of all Houses, Warehouses, Shops, and Tenements in the several Towns within this Island of Saint Christopher, for and towards Payment of the Public Debts, and applicable to such other Uses and Purposes as in this Act are hereinafter more particularly expressed and declared. Expired.

No. 149.

An Act to prevent and discourage Negroes and other Slaves from making their Escape from this Island, in Coasting Sloops and Schooners, Skallops, Long Boats, Canoes, or other Vessels; and for sundry other Purposes therein particularly mentioned. Expired.

No. 150.

1749-50.

An Act to explain and amend an Act passed in the Year One thousand seven hundred and twenty seven, intituled, An Act to subject all Goods and Commodities of the Growth and Produce of the late French Part of the Island of St. Christopher, which are or shall be shipp'd off from the said Island, to the Payment of the Four and a Half per Cent. Duty; and to ascertain at what Places all the Duties of Four and a Half per Cent. shall be received; and for making the Port of Deep-Bay, in this Island, one of the Places where the said Duty of Four and a Half per Cent. shall be payable.

WHEREAS in and by an Act of this Island made and passed in the Year of our Lord One thousand seven hundred and twenty seven, intituled, *An Act to subject all Goods and Commodities of the Growth and Produce of the late French Part of the Island of Saint Christopher, which are or shall be shipp'd off from the said Island, to the Payment of the Four and* Act of 1727, No. 68. recited.

1749-50. *and a Half per Cent. Duty; and to ascertain at what Places all the Duties of Four and a Half per Cent. shall be received, it is Enacted, That the several Ports of Old-Road, Sandy-Point, and Basseterre, within this Island, shall for ever hereafter be, and be deemed and taken as Towns and Places wherein the Duty or Customs of Four and a Half in Specie for every Hundred Weight of the Commodities of the Growth and Produce of this Island, accruing and growing due to His Majesty, His Heirs and Successors, by Virtue of the said recited Act, or of a certain Act or Statute of the General Council and General Assembly of the Leeward Charribbee Islands in America, called or known by the Names of the Islands of Nevis, St. Christopher, Antigua, and Montserrat, made in or about the Year of our Lord One thousand six hundred and sixty three, and intituled, An Act for settling an Impost on the Commodities of the Growth of the said Leeward Charribbee Islands, or either of them, shall and may be paid and delivered: And whereas it is a very great Inconvenience and Hardship to Persons residing near the Port of Deep-Bay, in this Island, and who are willing and desirous to pay such Duties and Customs there, to be obliged to transport their Goods and Commodities payable to his Majesty by Way of Duty as aforesaid, either to the Port of Sandy-Point, or to the Port of Basseterre; and forasmuch as the said Port of Deep-Bay is a well known and a much frequented Port of this Island, and is a proper and convenient Place at which to pay such Duties and Customs as aforesaid; for Remedy therefore of such Inconvenience and Hardship, We, Your Majesty's Most Dutiful and Loyal Subjects, the Captain General and Governor in Chief of all Your Majesty's Leeward Charribbee Islands in America, and the Council and Assembly of the said Island of St. Christopher, do humbly beseech Your Majesty, that it may be Enacted and Declared; and be it, and it is hereby Enacted and Declared, by the King's Most Excellent Majesty, by and with the Advice and Consent of the Captain General and Governor in Chief of the said Leeward Charribbee Islands in America, and the Council and Assembly of the said Island of St. Christopher, and by the Authority of the same, That the Port of Deep-Bay in the said Island, shall henceforth be deemed and taken as a Town and Place wherein the aforesaid Duty of Four and a Half per Cent. or other Duties on the Goods and Commodities of the Growth of this Island, growing due to His Majesty by Virtue of the said two above recited Acts, or either of them, shall and may be paid and delivered, and that Your Majesty's present Customer, or Collector of your Customs in this your Island, and all and every other Customer or Collector, Customers or Collectors, within the same Island, for the Future shall receive and take the said several Duties at the said Port of Deep-Bay, in the same Manner, and such Payment shall be as good and effectual to all Intents and Purposes as if such Duties or Customs were paid and delivered at the said several Ports of Old-Road, Sandy-Point, and Basseterre, or any or either of them; any Law, Statute, or Usage to the contrary notwithstanding. Dated in St. Christopher, this Sixteenth Day of January, in the Twenty third Year of the Reign of our Sovereign Lord GEORGE the Second, by the Grace of God, of Great-Britain, France, and Ireland, King, Defender of the Faith, &c. and in the Year of our Lord One thousand seven hundred and forty nine-fifty.*

Duties of Four
and a Half per
Centum may be
paid at Deep-
Bay.

*Read and passed the Assembly this
Sixteenth Day of Jan. 1749-50.*

PETER THOMAS TYSON,
Clerk Assembly.

JAMES LOSACK, Speaker.

*Read and passed the Council this
Sixteenth Day of Jan. 1749-50.*

WAVILL SMITH,
Secretary.

Passed by the Chief Governor the Thirtieth Day of January, 1749-50.

WILLIAM L. S. MATHEW.

St. Christopher, February 12, 1749-50. Then published this Act in the Towns of Basseterre and Old-Road, February 8, and at Sandy-Point, February 9.

The Answer of AARON MALADO, for WILLIAM JANSSEN, Esq. *Provost Marshal.*

Recorded and examined this 23d Day of February, 1749-50, by
WILLIAM SMITH, *Dep. Sec.*

1750.

No. 151.

An Act for regulating the Fishery of this Island, and for the better preserving Fresh-Water Springs and Rivers within the same.

Preamble.

WHEREAS the Fishery of this Island hath been greatly injured by Persons making their Seins of such small Meshes, that they draw on Shore the very small Fish that are

1750.

are unfit to be eaten, great Quantities whereof by this Means are intirely destroyed, and all Means of Increase therefrom for ever prevented: And whereas by many Persons frequently using to poison the several Fresh-Water Springs and Rivers within the said Island, the Quantity of Fish about this Island is greatly lessened, unless which said Evil be remedied, the Fishery of this Island is in great Danger of being in a few Years ruined; We, therefore, your Majesty's most Dutiful and Loyal Subjects, the Chief Governor of your Majesty's Leeward *Charibbee* Islands in *America*, the Council and Assembly of Your Majesty's Island of *St. Christopher*, do most humbly pray your Sacred Majesty, that it may be Enacted and Ordained; and be it, and it is hereby Enacted and Ordained, by the Authority aforesaid, That after Three Calendar Months, from the Publication hereof, no Sein shall be halled in the Sea with any Mash less than one Inch and Half square, under the Penalty and Forfeiture of the Sein to the Informer, and Twenty Five Pounds for every such Offence, to be recovered upon the Oath of such Informer, and the other Half to the Public, for the Use of the Fortifications, Forts, and Batteries within the Island.

Size of Mash
Penalties.

II. AND be it therefore Enacted, by the Authority aforesaid, That immediately after the Publication of this Act, any Person or Persons poisoning or otherwise infecting any Fresh-Water Spring or River within this Island, by Means whereof any Fish may be taken and destroyed, shall for every such Offence, forfeit and pay the Sum of Twenty Five Pounds, to be recovered before any two Justices of the Peace for this Island, and to be applied as is hereinbefore directed: And if any Slave or Slaves shall so poison or infect any of the Fresh-Water Springs or Rivers, unless by the express Command of his or their Master or Mistress, or any other Person or Persons, having Authority under him or them, and of which Command such Master, Mistress, or other Person or Persons shall exculpate him, her, or themselves, upon Oath, or be deemed guilty of such Offence, such Slave shall be punished by having Forty Stripes on his bare Back in some Public Place within this Island, by Order of any one Justice of the Peace, to any Constable within the same.

Penalty on poisoning
Fresh Water
Springs or
Rivers.

III. AND whereas the Price of Fish hath not been heretofore regulated, be it therefore Enacted, That for the Future, no Person or Persons shall demand or receive for any Fresh Fish, more than at the Rate of Six Pence *per* Pound, nor more than at the Rate of One Penny Half-penny for every Twenty Five Sprats, under the Forfeiture of Five Pounds; to be recovered and applied in Manner as is hereinbefore directed.

Price of Fish as
certained.

IV. AND be it Enacted, by the Authority aforesaid, That if any White or Free Person shall, after the Publication of this Act, take or destroy, upon any of the Shores round this Island, any Turtles Nests or Eggs, or shall take, carry away, destroy, or draw any Fish Pots or Nets, set in the Sea for catching of Fish; such Person or Persons so offending, shall forfeit and pay the Sum of Ten Pounds for every Fish Pot or Net so taken, carried away, destroyed, or drawn; the one Half whereof shall be paid to the Informer, the other Half to the Owner of such Pot or Pots; and the like Sum of Ten Pounds for every Offence in taking or destroying any Turtles Nests or Eggs, as aforesaid: And if any Slave or Slaves shall be guilty of either of the said Offences, he or they shall be publicly whipped, by Order of any one Justice of the Peace, not exceeding Fifty Lashes.

Penalty on de-
stroying Turtles
Nests, &c.

V. AND be it Enacted, by the Authority aforesaid, That every Person or Persons, Owners or Possessors of Sein or Seins, shall, upon the Commencement of this Act, give Notice to any Justice of the Peace, residing in the Parish, upon Oath, of the Dimensions of the Mash such Sein or Seins shall consist of, under the Penalty of Twenty Five Pounds; to be recovered and applied in Manner as is hereinbefore directed.

Owners of Seins
to give Notice,
&c.

VI. AND be it further Enacted, That such Justice is, by this Act, required and enjoined to administer an Oath to the Person or Persons, Owners or Possessors of such Sein or Seins, if he thinks proper, or to appoint any Person he thinks fit, to inspect into and examine such Sein or Seins, who shall deliver upon Oath the true Dimensions of such Mash to such Justice; and that then such Justice is hereby enjoined to give the Owner or Possessor of such Sein or Seins, a Certificate, that such Sein or Seins are within the Intent and Meaning of this Act.

Justice to admin-
ister Oath, &c.

VII. AND be it further Enacted, That in all and every Case, when Complaint shall be made before any One or Two Justices of the Peace, of any Offence against the said Act, such Justice or Justices shall cause such Offender or Offenders to be brought before him or them, to answer such Complaint, by Warrant under his and their Hands and Seals, directed to any Constable within the Parish where such Offence shall be alledged to have been committed; and, upon Conviction, shall and may issue their Warrant to the Provost-Marshal, or his lawful Deputy, for levying any Fine or Fines, in and by this Act imposed upon the Goods and Chattels, Lands and Tenements of such Offenders, and for Want thereof to imprison their Bodies until the same shall be paid. Dated in *St. Christopher*, this Eleventh Day of *September*, in the Twenty-fourth Year of the Reign of our Sovereign Lord *GEORGE* the Second, King of *Great Britain*, *France*, and *Ireland*, Defender of the Faith, &c. and in the Year of Our Lord, One Thousand Seven Hundred and Fifty.

Justice or Justi-
ces to hear and
determine on
complaint.

Read

1750.

Read and passed the Assembly this
27th Day of July, 1750.


PETER THOMAS TYSON,
Clerk of the Assembly.

JAMES LOSACK, *Speaker.*

Read and passed the Council this
7th Day of September, 1750.

WILLIAM SMITH,
D. Secretary.

Assented to this 11th Day of September, 1750,

GILBERT  FLEMING.

Published this Act the 19th Day of September, 1750, in the Towns of *Basseterre, Old-Road,*
and Sandy-Point.

LEONARD HAMM, *D. P. Marshal.*

Recorded this 20th Day of September, 1750, and examined.

WILLIAM SMITH, *Dep. Sec.*

No. 152.

An Act to alter and amend an Act, intituled, An Act for raising a Tax on Negroes by the Poll, for and towards erecting a Court House and Public Hall, and other necessary Offices in the Town of Basseterre, in the Island of St. Christopher; and to oblige the Secretary and other Officers to keep their Offices there, and to give due Attendance: And for repealing an Act made in the Tenth Year of the Reign of His late Majesty King GEORGE the First, intituled, An Act for building a Court House or Public Hall, Secretary's and other Offices at the Town of Old-Road, in the Island of St. Christopher; and to oblige the Secretary and other Officers to keep their respective Offices in the said Town; and for carrying into Execution, and rendering effectual the same; and for building a Public Gaol in the said Town of Basseterre.

Preamble.

Tax on Negroes for erecting a Court House, &c

Former Act repealed.

WHEREAS it is found highly necessary to have some known and Public Place for the Legislature of this Island, and the Courts of Justice to meet and sit in, as also to have a known and Public Goal, capable of holding safely Malefactors and Debtors: And whereas an Act was passed in the year of our Lord One Thousand Seven Hundred and Twenty Eight, intituled, *An Act for raising a Tax on Negroes by the Poll, for and towards erecting a Court House or Public Hall, and other necessary Offices in the Town of Basseterre, in the Island of St. Christopher; and to oblige the Secretary and other Officers to keep their Offices there, and give due Attendance:* And for repealing an Act made in the Tenth Year of the Reign of his late Majesty King GEORGE the First, intituled, *An Act for building a Court House or Public Hall, Secretary's and other Offices, at the Town of Old-Road, in the Island of St. Christopher; and to oblige the Secretary and other Officers to keep their respective Offices in the said Town;* but through divers Omissions and Casualties, the Matters and Purposes thereby intended, have hitherto been neglected and unaccomplished, and some Inconveniences have been apprehended from the pursuing the Act, Plan, or Building of a Public Court House, and other necessary Offices, in the said Act laid down and directed; and it has also been judged necessary to vary certain other of the Methods thereby prescribed, for the erecting the said Buildings, and the raising Money to defray the Expence of the same: We, therefore, Your Majesty's most dutiful and loyal Subjects, the Council and Assembly in St. Christopher's, do pray Your Majesty that it may be Enacted; and be it, and it is hereby Enacted, by the King's most Excellent Majesty, by and with the Consent of the Chief Governor or Commander in Chief of all Your Majesty's Leeward Charribbee Islands in America, and the Council and Assembly of St. Christopher's, That the said Public Buildings be erected and built in some convenient Part of the Square, called the Pasture or Pall-Mall-Square, in the Town of Basseterre, viz. One large and convenient House, for the Meeting of the Council and Assembly, and the Sitting of the Courts of Justice, and which may also contain proper Apartments for the Public Secretary, and register of Deeds and Conveyances, to keep their Public Offices in, and the Gaol at some Distance, not exceeding Ninety, and not less than Sixty Feet from the Court House.

Trustees named.

II. AND be it, and it is hereby further Enacted, by the Authority aforesaid, That the Honourable William Mathew Burt, Esquire, President of his Majesty's Council, the Honourable Ralph Payne, and the Honourable Constantine Phipps, Esquires, of the Council; and of the Assembly, the Honourable James Losack, Esquire, Speaker; John Baker, Anthony Wharton, Robert Colboun, James Smith, Nicholas Taylor, and James Ward, Esquires, and the Honourable Richard Wilson, Esquire, Chief Justice of the said Island and Thomas Mills, Esquire,

Esquire, the present Treasurer, and *William Buckley*, Esquire, or any Five of them, shall be, and they are hereby appointed Trustees, to Contract or Agree with the Honourable *Gilbert Fleming*, Esquire, Commander in Chief of these his Majesty's Leeward *Charribbee* Islands, as Commissioners appointed by his Majesty, for the Sale of such of the late *French* Lands in this Island, as yet remain Unfold, for the Purchase of the absolute Fee Simple, and Inheritance of the Whole of the Land in the said Square, called the Pasture, or Pall-Mall-Square, or such Quantity as shall be Proper and Sufficient for Erecting the said Buildings, on which Purchase-money shall be paid by the Treasurer of this Island, for the Time being; and then when, and as soon as the Fee Simple of such Land shall be, by any Grant, Patent, or any effectual Conveyance, Conveyed and made over to such Person or Persons, as the said Trustees so appointed to contract for the Purchase thereof; or any Five of them, shall appoint. Such Person or Persons, to whom such Conveyance is made, shall, by some Deed or Instrument, in Writing, under his or their Hands and Seals, declare, that such Lands, so by him or them Purchased, were so purchased in Trust for the Public of this Island; And to the Intent that such Court-house, and other Public Buildings as aforesaid, may be Erected thereon. Be it further Enacted, That the said Trustees shall, and they are hereby empowered to see the said Buildings Effectually erected; and to prepare, or cause to be prepared, a Plan or Model thereof; as also, to enter into any Agreement or Contract with such Person or Persons, as shall be willing to undertake the Building thereof, or finding and supplying Materials for the same, or both which Plan or Model; as also such Agreement or Contract is to be considered as Probationary only, and incomplete, till the same have, by the said Trustees, been laid before the Council and Assembly of this Island, for their Approbation; and when the same have been so laid before, and been approved of, and assented to by the Council and Assembly, they shall be deemed confirmed and effectual, and of the like Effect and Force, as if the same were inserted in, and made Part of this Act.

1750.

Trustees to see that the Buildings are effectual, &c.

Council and Assembly to give their Approbation.

III. AND be it further Enacted, by the Authority aforesaid, that this Act shall be deemed and taken to be a Public Act; and if any Action or Suit shall be commenced against any Person or Persons, for any Thing done, or to be done in Pursuance of this Act, the Defendant or Defendants, in such Action or Suit, respectively to be brought, shall and may plead the general Issue, and give this Act and the Special Matter in Evidence. Dated in St. *Christopher's*, this Twenty-fifth Day of *September*, in the Twenty Fourth Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of *God*, of *Great-Britain*, *France*, and *Ireland* King; Defender of the Faith, &c. and in the Year of our Lord One Thousand Seven Hundred and Fifty.

Persons sued may plead the General Issue.

Read and passed the Assembly this 11th Day of September, 1750. } JAMES LOSACK, Speaker. { Read and passed the Council this 12th Day of September, 1750. PETER THOMAS TYSON, Clerk of the Assembly. WILLIAM SMITH, D. Secretary.

Assented to by the Commander in Chief this 25th Day of September, 1750.

GILBERT L. S. FLEMING.

Published this Act in the Town of *Basseterre*, on the 25th Day of *September*, 1750, and in the Towns of *Old-Road* and *Sandy-Point*, on the 29th Day of the same Month.

LEONARD HAMM, D. P. Marshal.

Recorded this 29th Day of *September*, 1750, and examined.

WILLIAM SMITH, Dep. Sec.

No. 153.

An Act to naturalize John Lespeir.

Private.

No. 154.

An Act to revive and continue an Act, intituled, An Act to prevent and discourage Negroes and other Slaves, from making their Escape from this Island, in Coasting Sloops, Schooners, Shallops, Long-Boats and Canoes, or other Vessels; and for sundry other Purposes therein particularly mentioned. D d No.

Expired.

1752.

No. 155.

An Act to make more effectual, an Act of the Parliament of Great-Britain, made and passed in the Sixth Year of his present Majesty's Reign, intituled, An Act for the better securing and encouraging the Trade of his Majesty's Sugar Colonies in America, so far as the same regards this Island.

Preamble.

Duty on Foreign
Rum and Mo-
lasses.Duty on Foreign
Sugars.

WHEREAS, by an Act of Parliament, made in the Sixth Year of his present Majesty's Reign, and now in Force, intituled, An Act for the better securing and encouraging the Trade of his Majesty's Sugar Colonies in America; reciting, that your Majesty's Sugar Colonies in America are of the greatest Consequence and Importance to the Trade, Navigation, and Strength of the Kingdom of *Great Britain*; and that the Planters of the Sugar Colonies had, of late Years, fallen under such great Discouragements, that they were unable to improve or carry on the Sugar Trade upon an equal Footing with the Foreign Sugar Colonies, without some Advantage and Relief were given to them from *Great Britain*; it was, therefore, for Remedy thereof, and for the Good and Welfare of your Majesty's Subjects, Enacted, that from and after the Twenty-fifth Day of *December*, One Thousand, Seven Hundred and Thirty-three, should be raised, levied, collected, and paid unto, and for the Use of his Majesty, his Heirs and Successors, upon all Rum or Spirits, of the Produce or Manufacture of any of the Colonies or Plantations in *America*, not in the Possession or under the Dominion of his Majesty, his Heirs and Successors, which at any Time or Times, within or during the Continuance of the said Act, should be imported or brought into any of the Colonies or Plantations in *America*, which now are, or hereafter may be, in the Possession or under the Dominion of his Majesty, his Heirs or Successors, the Sum of Nine Pence, Money of *Great Britain*; to be paid according to the Proportion and Value of Five Shillings and Six-pence the Ounce, in Silver, for every Gallon thereof, and after that Rate for any greater or lesser Quantity; and upon all Molasses or Syrups of such Foreign Produce or Manufacture, as aforesaid, which should be imported or brought into any of the said Colonies or Plantations, of or belonging to his Majesty, the Sum of Six Pence, of like Money, for every Gallon thereon; and after that Rate for any greater or lesser Quantity; and upon all Sugars and Paneles, of such Foreign Growth or Manufacture, as aforesaid, which shall be imported into any of the said Colonies or Plantations, of or belonging to his Majesty, a Duty after the Rate of Five Shillings, of like Money, for every Hundred Weight, *Avoirdupois*, of the said Sugar and Paneles, and after that Rate for a greater or less Quantity; and by such Act it is also Enacted, that in Case any of the said Commodities should be landed or put on Shore in any of his Majesty's said Colonies or Plantations in *America*, out of any Ship or Vessel, before due Entry be made thereof, at the Port or Place where the same should be imported, and before the Duties by such Act charged or chargeable thereon, should be Duty paid, or without a Warrant for the Landing and Delivering the same, first Signed by the Collector, or Impost Officer, or other proper Officer or Officers of the Customs or Excise, belonging to such Port or Place respectively, all such Goods as should be so landed, or put on Shore, or the Value of the same should be forfeited, and should and might be seized by such Person or Persons; and every such Offence and Forfeitures, should and might be prosecuted for and recovered in such Courts; and such Forfeitures so recovered, should be divided in such Manners as, in and by such Act, are particularly expressed and directed.

II. AND whereas many Persons, to elude the Intent of such Law, do frequently Import such Goods and Commodities into the several Ports of this Island, and do unload the same out of the Vessels so imported, into Ships and Vessels lying in such Harbours, and from thence cause the same to be transported to *Great Britain*, as Commodities of the Growth of this Island, whereby the Effects by such Law proposed, are entirely defeated, to the great Detriment and Discouragement of the Planters of this Island, and the Diminution of the Revenue of the Crown: For Remedy whereof, We, your Majesty's most dutiful and loyal Subjects, your Majesty's Lieutenant-General and Commander in Chief of all your Majesty's *Leeward Charribbee* Islands in *America*, and the Council and Assembly of this Island of *St. Christopher*, do pray your most Excellent Majesty, That it may be Enacted, and it is hereby Enacted by the King's most Excellent Majesty, by and with the Consent of his Majesty's Lieutenant-General and Commander in Chief in and over all his Majesty's *Leeward Charribbee* Islands, and the Council and Assembly of the said Island of *St. Christopher*; and by the Authority of the same, That immediately, from and after the Publication of this Act, if any Rum, Sugar, Molasses, or other Commodities, of the Produce or Growth of any of the Colonies or Plantations in *America*, not in the Possession, or under the Dominion of his Majesty, his Heirs or Successors, shall be imported into any Port or Harbour of this Island, the Master or Commander of any Ship or Vessel in which the same shall be so imported,

shall

Time limited for
making Report.

shall within Twenty-Four hours after his arrival in such Port or Harbour signify and make known to the Collector or other Chief Officer of the Customs of such Port or Harbour, that such Goods and Commodities are so by him imported, under the Pain of the Loss of all such Goods and Commodities, together with the Ship or Vessel in which the same were so imported, with all her Guns, Furniture, Ammunition, Tackle, and Apparel; all which, on such Neglect or Default, shall be Forfeited, and shall and may be seized by such Person and Persons and recovered in any such Court; and such Forfeitures shall be divided in such Manner, and among such Persons as such Goods and Commodities would be liable to be seized, recovered and divided, by such above in part-recited Act, if such Goods and Commodities had been actually landed and put on Shore in this Island before such Entries so made, and such Duties for the same paid as aforesaid; and if such Goods or Commodities shall be unladen or put out of such Ship or Vessel, in which the same are so imported, into any Ship, Vessel, or Boat lying in any Road, Shipping or Landing place in this Island, before due entries made thereof, at the Port or Place where the same shall be imported, and before the Duties by such above In part-recited Act of Parliament charged, and chargeable thereon, and before a Warrant for that Purpose, from the Collector or Chief Officer of the Customs of such Port or Harbour for that Purpose first had and obtained, then, and in such Case such Ship, Vessel, or Boat, into which the same were so unladen and put, shall be forfeited, and shall and may be seized, recovered, and divided in Manner aforesaid.

1752.

Vessel and Cargo
forfeited.

III. AND for the more effectual Detection and Prevention of the clandestine and fraudulent Exportation of Foreign Sugars from this Island, without payment of the Duties thereon imposed as aforesaid, be it, and it is hereby further Enacted, by the Authority aforesaid, That from and after the Publication of this Act, no Sugar, Rum, or Molasses shall be cleared for Exportation at any Custom-house in this Island, as the Produce or Growth of this or any other of his Majesty's Islands, or belonging, without producing and delivering to the Collector or Comptrollers of the Customs, who shall clear the same, an Affidavit of the Grower or Growers, or Maker or Makers thereof, his, her, or their known Managers or Overseer, to be taken in Writing before, and certified by, some one of his Majesty's Justices of the Peace (which Oath such Justices are hereby authorized and required to administer, without Fee or Reward) specifying what Island and Parish, and by whom the same Sugar, Rum, or Molasses is to be entered or cleared out; then the Shippers shall also produce and deliver, before clearing of the same, to the respective Collector or Comptroller of the Ports of this Island, where the same are to be entered and cleared; the Affidavit to be made as aforesaid, of the Growth and Place of making such Sugar, Rum, or Molasses; and also, An Affidavit, in witnessing of himself and every other Person (if any) who shall have been the Owner and Possessor of the same between the Grower or Maker of the same; and the Shipper thereof, or of his, her, or their known Agent, Factor, or White Servant, to be taken before any of his Majesty's Justices of the Peace, or before the Collector or Comptroller, who are to clear the same; (which also they are hereby authorized and required to administer without Fee or Reward, that such Cask or Casks of Sugar, Rum, or Molasses, specifying the Marks and Numbers of such Casks which are then to be cleared, are the same, and no other, than are mentioned in such Oath or Oaths, Affidavit or Affidavits, specifying the Oath or Affidavit of the Growth of such Sugar, Rum, or Molasses, to be made as aforesaid, by the Grower or Maker thereof.

Grower or Ma-
ker to make Af-
fidavit

IV. AND be it further Enacted by the said Authority, that every Master, Commander, or other Person, having Charge of any Ship or Vessel clearing out at this Island, shall, before he is cleared out, make and deliver to the Collector, or Collectors, by whom he shall be cleared, Two Particulars, or Manifests of the Sugar, Rum, and Molasses, which he hath taken or laden on board his Ship or Vessel, specifying the Marks and Numbers thereof; and whether the same, as the Retify believes, is of British or Foreign Produce; and the Names of the respective Shippers, and of the Persons to whom consigned; and make Oath before the Collector, and Comptroller shall before Clearance of any Ship or Vessel, examined and compared with the Certificates on Oath, to be delivered as aforesaid, by the Shippers therein named; and, finding the same to agree, shall certify such Agreement under One of such Manifests, and deliver the same Manifests, so certified, and the Affidavits delivered to him for the clearing the Sugars, Rum, and Molasses, in such Manifests mentioned, to the Master or Commander clearing out, to be by him delivered to the Chief Governor or Commander upon the Island, for the Time being; who is hereby authorized and directed not to grant his Permit, or Let Pass, until such Manifests, so certified as aforesaid, with such Affidavits and Proofs, have been returned and delivered to him. And for every such Return the Collector or Comptroller shall be intituled to receive a Fee or Reward of Six Shillings, and no more.

Manifests made
and delivered the
Collector.

V. AND be it further Enacted, by the Authority aforesaid, that all Sugars, Rum, and Molasses, which shall be put, found, or discovered to be on board any Ship or other Vessel at this Island, and shall not before clearing the said Vessel be proved by the Affidavits

All such Rum,
Sugars, and Mo-
lasses deemed Fo-
reign, and liable
to pay Foreign
Duties.

1752.

Masters of Vessels to make Entry.

Penalty on Masters of Vessels.

Pains and Penalties in Case of Perjury.

In Cases of Seizure.

Reward to Persons informing.

Expenses to be paid by the Public in Cases of Deficiency or no Forfeiture.

of the Grower or Maker, Shipper, and intermediate possessor (if any) to be of the Growth or Produce of some of his Majesty's Colonies or plantations, in Manner herein before directed, the same shall be deemed, taken, and adjudged to be of Foreign Growth or Produce, and be subjected to, and make the Owners and Shippers thereof subject, and liable to such Duties and Penalties as if the same were really the Growth and produce of a Foreign Nation.

VI. AND be it further Enacted, by the Authority aforesaid, That every Master or Person, having Charge of any Ship or other Vessel, which shall arrive in any of the Roads, Bays, or Creeks of this Island, having Sugars, Rum, or Molasses on board, not of the Growth of any of his Majesty's Colonies or Plantations, shall, within Twenty-four hours after every such Arrival, make Entries of the Vessel at the Custom-house and other Offices within this Island, where Ships and Vessels are usually entered, and not put, or cause, or suffered to be put over the Side of such Ship or other Vessel any Sugar, Rum, or Molasses, without having a Permit for that Purpose, from the Collector or Comptroller of his Majesty's Customs in that Division, or Port of the Island where his Vessel shall have been so entered; and every such Master, or other Person, having Charge of such Ship or Vessel, neglecting or refusing to make such Entries, or putting or causing, or suffering to be put over the Side of such Ship or other Vessel, any of the aforesaid Sugars, Rum, or Molasses, without such Permit shall, for every such Offence, forfeit and pay the sum of Two Hundred Pounds, current Money of this Island; to be recovered by any Person who shall Sue and Prosecute for the same, in any Court of Record of this Island; in which Prosecution, no Protection, Essoign, or Wager of Law shall be allowed.

VII. AND be it also further Enacted, by the Authority aforesaid, That all such, and every Person and Persons who shall falsely take any Oath or Affidavit prescribed by this Act, and be legally convicted thereof, shall be liable to, and suffer the Pains and Penalties which the Law inflicts on Persons found guilty of wilful and corrupt Perjury.

VIII. AND be it further Enacted, by the Authority aforesaid, That in case of Seizure and Forfeiture, or Condemnation of any Sugar, Rum, or Molasses for any Transgression or Offence against the said recited Act of Parliament of *Great Britain*, against this Act, the Treasurer of this Island shall give and pay out of the Public Monies of this Island, on the Order of the Chief Governor or Commander in Chief on the Island for the time being, to any Person or Persons who shall first inform of such Transgression or Offence, not intitled to a Third Part of the Forfeiture, the several Rewards following; that is to say, after the Rate of Three Pounds, Current Money of this Island; for every Thousand Weight of Sugar; Forty Shillings, like Money, for every Hundred Gallons of Rum; and Thirty Shillings, like Money, for every Hundred Gallons of Molasses which shall be seized and forfeited, or condemned as aforesaid.

IX. AND be it also further Enacted, by the Authority aforesaid, That the Cost and Charges of every Prosecution for any Breach or Transgression against the said Act of Parliament of *Great Britain*, herein before recited, or against this Act, whereon there shall be no Forfeiture; and also, in Case the Forfeiture shall not be sufficient to defray the same, shall be paid, and come at the Expence of the Public of this Island. Dated in St. *Christopher's*, this Twenty-seventh Day of May, in the Twenty-fifth Year of the Reign of our Sovereign Lord, *George* the Second, by the Grace of God, of *Great Britain, France and Ireland*, King, Defender of the Faith; and in the Year of our Lord One Thousand, Seven Hundred and Fifty-two.

Read and Passed the Assembly this } ROBERT COLHOUN, { Read and Passed the Council
18th Day of May, 1752. } Speaker. { the 26th May, 1752.
PETER THOMAS TYSON, WILLIAM SMITH,
Cler. Assembly. D. Secretary.

Passed at St. *Christopher's*, by the Commander in Chief, this Twenty-seventh Day of May, One Thousand Seven Hundred and Fifty-two.

GILBERT L. S. FLEMING.

Published this Act in *Basseterre* and *Sandy-Point*, the 28th May, 1752; and on the 29th at *Old Road*.

ROBERT THOMPSON,
D. P. Marshal.

Recorded and Examined this 5th Day of June, 1752.

WILLIAM SMITH,

D. Sec.
No.

No. 156.

1752.

A Supplementary Act to An Act intituled, An Act to make more Effectual An Act of the Parliament of Great Britain, made and Passed in the Sixth Year of His Present Majesty's Reign; intituled, An Act for the better Securing and Encouraging the Trade of His Majesty's Sugar Colonies in America, so far as the same regards this Island.

WHEREAS, by the said Act it is Enacted, that from and after the Publication thereof, ^{Preamble} no Sugar, Rum, or Molasses, shall be cleared for Exportation, at any Custom-house in this Island, as the Produce or Growth of this, or any other of his Majesty's Islands or Colonies, without producing and delivering to the Collector, or Comptroller of the Customs, who shall clear the same, an Affidavit of the Grower or Growers, Maker or Makers thereof; their, or his or their known Manager or Overseer; to be taken in Writing before, and certified by, some One of his Majesty's Justices of the Peace: which Oath such Justice is hereby authorized and required to administer, without Fee or Reward; specifying in what Island and Parish, and by whom the same Sugars, Rum, and Molasses were grown and made; and in Case the Shipper shall not be the Grower or Maker of the Sugar, Rum, or Molasses, to be entered or cleared out, then the Shipper shall also produce and deliver, before clearing of the same, to the respective Collector or Comptroller of the Ports of this Island, where the same are to be entered and cleared: the Affidavit to be made as aforesaid, of the Growth and Place of making such Sugar, Rum, or Molasses; and also, an Affidavit in Writing, of himself and every other Person (if any) who shall have been the Owner and Possessor of the same, between the Grower and Maker of the same, and the Shipper thereof; or of his or their known Agent, Factor, or White Servant, to be taken before any of his Majesty's Justices of the Peace, or before the Collector or Comptroller who are to clear the same; which also they are hereby authorized and required to administer, without Fee or Reward, that such Cask or Casks of Sugar, Rum, or Molasses, specifying that the Marks and Numbers of each Cask, which are then to be cleared, are the same, and no other, that are mentioned in such Oath or Oaths, Affidavit or Affidavits, specifying the Oath or Affidavit of the Growth of such Sugar, Rum, or Molasses, to be made as aforesaid, by the Grower or Maker thereof. And whereas several Quantities of Rum have been shipped on board several Vessels now at this Island, and other Quantities yet remain to be shipped by Persons who received the same, before the passing of the said Act, from Planters, Merchants, or Dealers, who in the mean Time have left the Island, and therefore the Shippers thereof cannot obtain and produce the Affidavits required by the said Act, in order to clear the same at the Custom-house; therefore We, your Majesty's most dutiful and loyal Subjects, your Majesty's Lieutenant-General and Commander in Chief, in and over all your Majesty's Leeward *Charibbee* Islands in *America*; and the Council and Assembly of this Island of St. *Christopher*, do pray your most Excellent Majesty, that it may be Enacted. And be it, and it is hereby Enacted, by the King's most Excellent Majesty, by and with the Advice and Consent of his Majesty's Lieutenant General and Commander in Chief, in and over all his Majesty's Leeward *Charibbee* Islands in *America*, and the Council and Assembly of the said Island of St. *Christopher*, and the Authority of the same, That in Case any Master, Owner, or Owners of such Vessels shall make Oath before the Collector or Comptroller of the Port of Clearance, in this Island; which Oath the Collector and Comptroller are hereby impowered and required to administer, that the Rum or Molasses to be cleared out was actually shipped on board his or their Vessels, on or before the Twenty-seventh Day of May last past; and that the same as he or they really believe is the Produce of, and was made in this Island; then, and in such Case, it shall and may be lawful for the Collector and proper Officers of the Customs, and they are hereby required to clear out such Rum or Molasses, as if all the Affidavits required by the said recited Act had been made and produced for the Clearing of the same; any Clause or Matter in the said Act, conceived to the Contrary thereof, in any wise notwithstanding.

Oath to be made
by Master or
Owner.

Not allowed as
discharge of any
Debt, &c.

II. AND be it further Enacted, by the Authority aforesaid, that no Plea of the Tender of Sugar, Rum, or Molasses, shall be allowed in any Court of Law, in discharge of any Debt or Damage, unless such Affidavits as, by the said recited Act, are required to be made by the Grower, or Maker, and intermediate Possessor thereof (if any) shall be also tendered therewith.

Purchaser to re-
ceive Affidavit
before Payment.

III. AND be it also Enacted, that the Purchaser of any Sugar, Rum, or Molasses, shall not be obliged, or compellable by Law, to pay for the same, until the Seller shall have delivered or tendered to the Purchaser, such Affidavit or Affidavits of the Growth or Making thereof, as by the said recited Act are required, and which could be made at the Time of the Delivery thereof to the Purchaser.

1752.

Provost Marshal
to receive Affi-
davits, &c.

IV. AND be it also further Enacted, that in Case any Rum, Sugar, or Molasses, shall be levied upon by Virtue of any Writ of Execution, issuing out of any of the Courts of this Island; the Owner or Proprietor, against whom such Execution shall be issued, shall not be discharged or exonerated of the Debt or Duty to be satisfied thereby, or of any part thereof unless before the same is exposed to Sale; he or she shall have delivered or tendered to the Provost-Marshal of this Island, or his lawful Deputy, such Affidavits and Certificates of the Growth or Making of the same, as by the said recited Act are required, in Case such Owner or Proprietor were, at the Time of the Levy, to ship and clear the same; and, on Failure or Neglect thereof, it shall be lawful for the Provost-Marshal, or his lawful Deputy to proceed on such Execution, as if no Levy had been before made by Virtue thereof, without being accountable to such Proprietor; or be obliged to make Satisfaction for the Sugar, Rum, or Molasses he shall have first levied upon, or taken in Execution: and, to prevent the Detaining of any Ships or Vessels by the Grower, Shipper, or any other Person or Persons concerned in negotiating such Sugar, Rum, or Molasses, neglecting to send to the Custom-house, where any Ship or Vessel is to be cleared, such Affidavits as are by the said recited Act required, in Order to the Clearance of every Ship or Vessel;

Penalty on Neglect.

V. BE it, and it is hereby Enacted, by the Authority aforesaid, that every Grower, Shipper, or any other Person or Persons concerned in negotiating or shipping Sugars, Rum, or Molasses, on any Ship or Vessel at this Island, by whose Neglect in sending the Affidavits or Certificates of the Growth or Product Shipped by him, her, or them, to the Custom-house, where the Vessel such Product is laden upon shall be, or ought to be cleared; such Vessel shall be detained or hindered from clearing, shall forfeit and pay to the Master or Commander of such Ship or Vessel, the Sum of One Hundred Pounds, current Money, to be recovered in any Court of Law in this Island, on Proof made that Six Days Notice was given to, or left at the Dwelling-house, or usual Place of Abode of such Shipper, of the Day such Ship or Vessel shall be ready, or intended to be cleared; and on producing in Court the Affidavit of the Master of such Vessel, to be taken before any Justice of the Peace of this Island, that he, by reason of such Neglect, could not clear his Vessel, in Order to proceed on his Voyage.

Time limited to
make Report.

VI. AND whereas several Frauds are daily Committed in bringing Sugar, Rum, and Molasses, from other of his Majesty's Sugar Islands, under Certificates from the respective Custom-houses; to prevent such Frauds, be it Enacted by the Authority aforesaid, that all Masters of any Vessels, importing such Commodities into any of the Roads, Harbours, or Creeks of this Island, shall, in Twenty-four Hours after Arrival, make a faithful Report of the same to the Custom-house, and at the same time declare upon Oath, that they did take off the said Commodities from the said Islands, and that to the best of their knowledge they are of the Growth thereof, under the Penalty of Confiscation of their Vessel, and Six Months Imprisonment for any such Master or Masters refusing to give the said Affidavit; to be Sued and Recovered in any Court of Record in this Island. And, for the further preventing such Frauds, be it also Enacted by the Authority aforesaid, That all Vessels that bring such Commodities on Freight from Port to Port, and from Island to Island, commonly known by the name of Droghers, be obliged in Ten Days after the Publication of this Act, to be navigated with One Third White Men; and on Failure thereof, the Owner or Owners to pay One Hundred Pounds Fine; to be levied and recovered in any Court of Record in this Island. Dated in St. Christopher's this Twelfth Day of June, in the Twenty Sixth Year of the Reign of our Sovereign Lord George the Second, by the Grace of God, of Great Britain, France, and Ireland King, Defender of the Faith, and in the Year of our Lord One Thousand Seven Hundred and Fifty-two.

Droghers Ma-
riners to be one
Third White
Men.

Read and Passed the Assembly this } PETER BROTHERRSON, { Read and Passed the Council,
11th Day of June, 1752. } Speaker, pro Tempore. { this 11th day of June, 1752.
PETER THOMAS TYSON, WILLIAM SMITH,
Cler. Assembly. D. Secretary.

Passed by the Commander in Chief, this 12th Day of June, One Thousand Seven Hundred and Fifty-two.

GILBERT L. S. FLEMING.

Published in Basseterre, the 12th Day of June; and at Old Road, and Sandy-Point, the 13th June, 1752.

ROBERT THOMPSON,
D. P. Marshal.

Recorded and Examined, June 15th, 1752.

WILLIAM SMITH, D. Sec.

No. 157.

1752.

An Act for appointing John Sharpe, Esquire, Agent in Great Britain, for the Island of St. Christopher, in the room of James George Douglas, Esquire; and for settling a Salary upon him, during the Time of his Agency. Expired.

No. 158.

An Act against Excessive, Deceitful, and Disorderly Gaming.

WHEREAS all Lawful Games and Exercises should not be otherwise used, than as innocent and Moderate Recreations, and not as constant Trades or Callings, to gain a Living, or make an unlawful Advantage thereby. Preamble.

AND whereas, by a late immoderate Use of them in this Island, many Mischiefs and Inconveniencies have arisen, and do daily happen, to the maintaining and encouraging of sundry idle, loose, disorderly Persons; in their dishonest, lewd, dissolute Course of Life, and to the circumventing, deceiving, cozening, and debauching of many of the younger Sort, particularly young Traders, entrusted with Cargoes, and Effects belonging to others; to the Loss of their precious Time, and the utter Ruin of their Estates and Fortunes, and withdrawing them from honest and laudable Employments and Exercises; and to the great Discredit of the Trade and Commerce of this Island.

WE, your Majesty's most loyal, dutiful, and obedient Subjects; the Governor in Chief, in and over all your Majesty's *Leeward Charibbee* Islands in *America*, and the Council and Assembly of this your Majesty's Island of *St. Christopher*, humbly pray your most sacred Majesty, that it may be Enacted and Ordained:

I. AND be it, and it is hereby Enacted and Ordained by the Authority aforesaid, Excessive Gaming prohibited. That if any Person or Persons whatsoever, within this Island, shall, from and after the Publication of this Act, at any Time or Times, by any excessive Gaming, or by any Fraud, Shift, Cozenage, Circumvention, Deceit, or unlawful Device, or ill Practice whatsoever, in playing at or with Cards, Dice, Billiards, Tables, Tennis-balls, Skittles, Shuffleboards, Nine-pins; or in or by Cock-fighting, Horse-races, Dog-matches, Foot-races, Races or Sailing Matches by Ships, Sloops, Boats, or any other Vessels, or Pastimes, Game or Games whatsoever; or in or by bearing a Share or Part in the Stakes, Wagers, or Adventures; or in or by betting on the Sides or Hands of such as do play, act, ride, run, or sail, as aforesaid; win, obtain, or acquire to him or themselves, or to any other or others, any Sum or Sums of Money, or valuable Thing or Things whatsoever; that then every Person or Persons so offending as aforesaid, shall forfeit and lose Treble the Sum or Value of Money, other Thing or Things, so won, gained, obtained, or acquired; the One Moiety thereof to our Sovereign Lord the King, his Heirs and Successors, to be paid into the public Treasury of this Island, and to be employed towards the Building and Repairing the Forts and Fortifications of the same; and the other Moiety thereof unto the Person or Persons aggrieved, or who shall lose the Money, or other Thing or Things, so gained; so that every such Loser, or Person aggrieved in that Behalf, do, or shall prosecute for the same, within Six Kalendar Months next after such Play; and in Default of such Prosecution, in the same other Moiety, to such Person or Persons as shall or will prosecute for the same, within Three Months next after the said Six Months expired; and for the better preventing all excessive and immoderate Gaming and Playing, for the time to come.

II. BE it further enacted and Ordained, by the Authority aforesaid, that if any Person or Persons whatsoever, within this Island, shall, or do, after the Publication of this Act, play at any of the said Games, or any other Pastime, Game, or Games whatsoever, for ready Money, or any other valuable Thing, ready down; or shall bet or wager on the Side or Hands of those that do play; or upon any particular Chance or Occurrence of the Game or Play then going, any ready Money or valuable Thing, ready down, to above the Value of the Sum of Ten Pounds, lawful Money of this Island, at One Sitting, or Playing, or within the Space or Term of Twenty four Hours from the first Beginning of such Play; that then the Person so winning, obtaining, or acquiring above the said Sum of Ten Pounds, lawful Money of this Island, shall lose and forfeit Treble the Value of all the whole Money, or other valuable Things so won, obtained or acquired; the one Moiety thereof to our Sovereign Lord the King, his Heirs and Successors, to be paid into the public Treasury of this Island, and to be employed towards the Building and Repairing the Forts and Fortifications of the same; and the other Moiety thereof to the Party aggrieved, or who shall lose the Money or other Things so gained, so as every such Loser or Persons aggrieved in that Behalf, do or shall prosecute for the same, within Three Kalendar Months next after such Play; and in Default of such Prosecution, the same other Moiety to such Person as shall or will prosecute for the same, within Three Months next after the said Three Months are expired. Not to exceed Ten Pounds.
 If above Ten Pounds, Treble the value forfeited.
 Time allowed for Prosecution.

III.

1752.

All Monies won,
above Ten
Pounds, not re-
coverable.

Judgments, Sta-
tutes, Recogni-
zances, &c. &c.
utterly void.

All and every
Forfeiture may
be sued for.

Persons sued may
plead the general
Issue.

A General Act

III. AND be it further Enacted and Ordained, by the Authority aforesaid, That if any Person or Persons whatsoever, within this Island, shall, after the Publication of this Act, play at any of the said Games, or any other Pastime, Game, or Games, whatsoever, or shall bet or wager on the Sides or Hands of such as do play, or upon any particular Chance or Occurrence of the Game or Play then going, and shall lose any Sum or Sums of Money, or any other valuable Thing or Things so played for, exceeding the Sum of Ten Pounds, lawful Money of St. *Christopher*, at any one Time or Meeting, or within the Space of Twenty-four Hours from the Beginning of such Play, upon Ticket, Credit, or otherwise, and shall not pay down the same at the Time when he or they shall lose the same; the Party and Parties who loseth or shall lose the same Monies, or other Things so played, or to be played, betted or wagered for, above the said Sum of Ten Pounds, lawful Money of St. *Christopher*, shall not in that case be bound or compelled to pay, or make good the same; but the Contract and Contracts for the same, and for every Part thereof, and all and singular Judgements, Statutes, Recognizances, Mortgages, Conveyances, Assurances, Bonds, Bills, Specialties, Promises, Covenants, Agreements, and other Acts, Deeds, and Securities whatsoever, which shall be obtained, made, given, acknowledged, or entered into, for Security or Satisfaction of, or for the same, or any Part thereof, shall be utterly void, and of none Effect; and that the Person or Persons so winning the said Monies or other Things, shall forfeit and lose Treble the Value of all such Sum or Sums of Money, or other valuable Thing or Things, which he shall so win, gain, obtain, or acquire, above the said Sum of Ten Pounds, lawful Money of the said Island of St. *Christopher*; the One Moiety thereof to our Sovereign Lord the King, his Heirs and Successors, to be paid into the public Treasury of this Island, to be employed towards the Building and Repairing the Forts and Fortifications of the same; and the other Moiety thereof to the Person or Persons aggrieved, or losing the same; so as every such Loser, and Person aggrieved in that Behalf, do prosecute and sue for the same, within Three Kalendar Months next after such Play; and in Default of such Prosecution, the same other Moiety to such Person as shall or will prosecute for the same, within Three Months next after the said Three Months expired.

IV. AND be it, and it is hereby further Enacted, by the Authority aforesaid, That all and every Forfeiture, given by this Act, shall and may be sued for, and prosecuted and recovered by Action, Suit, Bill, Plaint, or Information, in the Courts of King's-bench and Common Pleas, as before Justices of Oyer and Terminer, and Justices of the Peace in their Sessions in this Island; and the Informer or Prosecutor shall, in every Action, Suit, Bill, Plaint, or Information, recover Treble Costs of Suit, against the Person Offending and Forfeiting in any of the Cases aforesaid; and also, that in any Action, Prosecution, or Suit whatsoever, to be brought against any Person or Persons whatsoever, upon any Judgment, Statute, Recognizance, Mortgage, Conveyance, Assurance, Bond, Bill, Specialty, Promise, Covenant, Agreement, or other Act, Deed, or Security whatsoever, to be obtained, made, given, acknowledged, or entered into, for Security, Satisfaction of, or for any Monies, or other valuable Things, to be Lost on Credit, Ticket, or otherwise, as aforesaid, exceeding the said Sum of Ten Pounds, lawful Money of St. *Christopher*, contrary to the Meaning of this Act; the Person or Persons so prosecuted or sued, shall and may plead the general Issue, and give this Act in Evidence; and the same shall be allowed in all Courts whatsoever within this Island; and Judges, Justices, and Juries are to take Notice thereof accordingly: and if a Verdict go against the Plaintiff or Plaintiffs (not being Executor or Administrator) or he or they be non-suited or discontinue the Action, Suit, or Prosecution, he or they shall pay Treble Costs. And this Act shall be deemed and taken, and is hereby declared to be a General Act. Dated at St. *Christopher's*, this Sixteenth Day of *December*, in the Year of our Lord One Thousand Seven Hundred and Fifty-two, and in the Twenty-sixth Year of the Reign of our Sovereign Lord *George* the Second, of *Great Britain, France* and *Ireland*, King, Defender of the Faith, &c.

Read and Passed the Assembly this	} ROBERT COLHOUN, {	Read and Passed the Council,
9th Day of April, 1752.		3d November, 1752.
PETER THOMAS FYSON,	Speaker.	WILLIAM SMITH,
Cler. Assembly.		D. Secretary.

Passed by the Commander in Chief, this 16th Day of *December*, One Thousand, Seven Hundred and Fifty-Two.

GILBERT L. S. FLEMING.

Published in *Basseterre*, *Old Road*, and *Sandy-Point*, the 17th Day of *December*, 1752.

ROBERT THOMPSON, D. P. Marshal.

Recorded and Examined, *December* 29th, 1752.

WILLIAM SMITH, Dep. Sec.

No. 159.

1752.

An Act for settling the Sum of Twelve Hundred Pounds, current Money, for One Year; to be Computed from the First Day of July last past: And after the Expiration of the said Year, the Sum of Eight Hundred Pounds, current Money, per Annum, upon his Excellency GEORGE THOMAS, Captain General and Governor in Chief, in and over all his Majesty's Leeward Charribbee Islands in America; for the more Honourable Support of him, and of the Dignity of his Majesty's Government, during the Term therein specified; and for raising the Sum of Twelve Hundred Pounds, current Money, for one Year, by a Duty or Tax of Eighteen Pence per Poll, upon all Negroes and other Slaves within this Island: And a further Sum of Eight Hundred Pounds, current Money by a Duty or Tax of Twelve Pence per Poll on the said Negroes and other Slaves, for every succeeding Year, during the Term therein specified; to be applied to the several Uses and Purposes therein declared and appointed.

Expired.

No. 160.

An Act for granting an Aid to his Majesty, by a Duty, or Tax, of Fifteen Shillings, current Money, per Poll, on all Negroes and other Slaves; and the further Duty of Twelve Pounds Ten Shillings, in the Hundred Pounds, on the Yearly Value of all Houses, Ware-houses, Shops, and Tenements in the several Towns within the said Island; to be applied for, and towards the Payment of such Debts as are due by the Public of this Island, according to the Schedule hereunto annexed; and for such other Uses and Purposes as in and by this Act are further expressed and declared.

Expired.

No. 161.

An Act to Establish and Regulate a Militia for the Island of St. Christopher.

Expired.

No. 162.

An Act for granting an Aid to his Majesty, by a Duty or Tax of Six Shillings, current Money, per Poll, on all Negroes and other Slaves; and the further Duty of Five Pounds in the Hundred Pounds, on the yearly Value of all Houses, Ware-houses, Shops and Tenements in the several Towns within the said Island; for Repairing the Forts and Fortifications, and defraying the public Expences of the said Island.

Expired.

No. 163.

An Act for Repairing the several Fortifications, Forts and Batteries within this Island; and for the other Purposes therein mentioned.

Expired.

No. 164.

An Act to enable the Minister and Vestry-men, and Church-wardens of the Parish of St. George, Basseterre, to make Sale of a certain Parcel of Land, lying in Cayon-street, in the Town of Basseterre, commonly called, or accepted to be the Glebe Land of the said Parish; and to enable the Vestry Men, and Church-wardens, with the Monies arising from such Sale, and other Monies raised, or to be raised, by a Parish-rate, to purchase a certain Messuage, situate in College-street, in the Town of Basseterre, adjoining to the Church-yard of the said Parish, belonging to the Reverend John Bernonville; and such other Piece or Pieces of Land lying

1755.

1755.

near thereto, as they shall think most convenient; and to settle such Messuage and Piece or Pieces of Land, as a perpetual Mansion-house and Glebe Land for the Use of the Minister of the Parish for the Time being.

Preamble.

WHEREAS the Parish of St. George, Basseterre, being destitute of a House for the Minister of the Parish to reside in, the Reverend John Bernonville, the present Minister of the said Parish, hath offered to sell the Messuage wherein he now dwells, lying in College-street, in the Town of Basseterre, in the same Parish, and adjoining to the Church-yard thereof, to be made Use of for a perpetual Mansion-house for the Minister of the Parish.

AND whereas it is apprehended, that not only the Situation of such Messuage is much more convenient for the Residence of the Minister, than a House erected on the present Glebe-land of the said Parish would be, but also that the Purchase thereof would be much less Expensive and burthensome to the Parishoners than the erecting an entire new House, convenient for the Residence of the Minister, on the said present Glebe-land would be.

AND whereas, in order to make the Expence of purchasing a Mansion-house for the Minister the more light, it is proposed to sell the said present Glebe-land, which is of little Use to the Minister, and to apply the Monies arising from such Sale towards the Purchase of such Messuage of the said John Bernonville, and of some convenient Spot of Land, near to the same; and which, together therewith, may make a commodious and perpetual Mansion-house and Glebe-land for the Ministers of the said Parish.

Minister, Vestry Men & Church-Wardens Autho- rised, &c.

I. BE it therefore Enacted, and it is hereby Enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Governor in Chief of his Majesty's Leeward Charibbee Islands in America, and of the Council and Assembly of the Island of St. Christopher, That the Minister and Vestry-men, and Church-wardens of the said Parish of St. George, Basseterre, for the Time being, or a Majority of them, have Power to agree and contract with any Person or Persons for the Purchase of the Piece of Land lying in Cayon-street, in the said Town of Basseterre, commonly called and accepted to be the present Glebe-land of the said Parish; and to make Sale thereof for the most Monies that can be procured for the same; and on an Agreement for such Purchase and Sale, and Payment to them of the Purchase-money thereof, by themselves, or by such Person or Persons as they shall, by Order of Vestry, appoint for that Purpose, to make any Grant or Conveyance of such Piece of Land, to the Person or Persons so agreeing or contracting for the Purchase thereof; which Grant or Conveyance shall, to all Intents and Purposes, be good and effectual in Law, for the Estate or Estates thereby expressed to be granted and conveyed. And further, That the said Vestry-men and Church-wardens have a Power to contract with the said John Bernonville, for the Purchase of the said Messuage wherein he now lives, adjoining to the Church-yard of the said Parish; as also, with the Owner or Owners of some convenient Piece or Pieces of Land in the same Parish, lying near thereto; and to take proper Grants and Conveyances of the said Messuage from the said John Bernonville, and of such Piece or Pieces of Land from the Owner or Owners thereof, to such Person or Persons as they the said Vestry-men, and Church-wardens, or a Majority of them, shall, by Order of the Vestry, appoint the same to be granted and conveyed to, and to apply as well the Monies to be raised by such Piece of Land as is now called or accepted to be the Glebe-land of the said Parish, or such other Monies raised, or to be raised, by a usual Parish-rate, as shall be necessary for that Purpose, towards the Purchase of the said Messuage of the said John Bernonville, and such other Piece or Pieces of Land near thereto, as aforesaid.

Proviso.

II. PROVIDED always, that the Uses and Trusts of such Grants and Conveyances, of such Messuages, and Piece or Pieces of Land shall be therein declared to be, and the Granters therein named, declared to stand seized thereof to the Use of the Minister of the said Parish, for the Time being.

Grants, &c. Good in Law.

III. AND it is Enacted and Declared, that such Grants and Conveyances, when so made as aforesaid, shall be good and effectual in the Law, for the Estates thereby granted, and the Uses and Purposes thereby declared; and shall vest in the present Minister, and all other Ministers of the said Parish as good, and the same Estate and Right in and to the said House, and Piece or Pieces of Land, as the other Ministers of the several Parishes in this Island, have, in the several Dwelling-houses and Glebe-land usually set apart for the use of such Ministers.

Minister's Right, &c.

Proviso.

IV. PROVIDED also, that nothing in this Act, or in any of the Grants and Conveyances by Virtue thereof to be made, shall prejudice or affect the Right of any Person or Persons whatsoever to all or any of the Lands, or Premises so to be granted or conveyed, save only such Persons as are Parties to such Grants or Conveyances, respectively, and in such Rights only as they so grant and convey the same. Dated in St. Christopher, the Fifth Day of August, in the Twenty Ninth Year of the Reign of our Sovereign Lord GEORGE the Second,

by

by the Grace of God, of Great-Britain, France, and Ireland, King; Defender of the Faith; 1755.
and in the Year of our Lord One Thousand Seven Hundred and Fifty-five.

Read and passed the Assembly this }
24th Day of July, 1755.

WILLIAM WEBB,
Clerk of the Assembly.

ROBERT COLHOUN,
Speaker.

Read and passed the Council this }
24th Day of July, 1755.

WILLIAM SMITH,
D. Secretary.

Passed by the Governor in Chief, the Fifth Day of August, 1755.

GEORGE L. S. THOMAS:

Published this Act in Basseterre, on the 13th of August, 1755,

ROBERT THOMPSON.

D. P. Marshal.

Recorded and Examined this 14th Day of August, 1755.

WILLIAM SMITH,

D. Sec.

No. 165:

An Act for the better Regulating of, and for laying a Tax on Vintners and Retailers of Wine, Rum, and Rum-punch, and other strong Liquors, lessening the number of Distillers, and for the more effectual Prevention and Discouragement of harbouring, entertaining, and concealing of Sailors Servants and Negroes, and other Slaves in the Island of St. Christopher; by Vintners and Retailers of strong Liquors aforesaid. Expired.

No. 166.

1756.

An Act for Amending and Explaining An Act for regulating the Fishery of this Island, and for the better Preserving the Fresh-water Springs and Rivers within the same.

WHEREAS an Act now in force, Intituled, An Act for regulating the Fishery of this Island, and for the better preserving the Fresh-water Springs and Rivers within the same, is in some parts very imperfect, and is by experience found to be a great Disadvantage to many of the Inhabitants; forasmuch as the Mashes prescribed by the said Act, for Seins, are so large that the smaller Sort of Fish cannot be taken by them, and consequently the poor People are deprived of a great part of their Support; which evil may be remedied without any Manner of Detriment to the Fishery: We, therefore, your Majesty's most dutiful and loyal Subjects, the Chief Governor of your Majesty's Leeward Charribbee Islands in America, the Council and Assembly of your Majesty's Island of St. Christopher, do most humbly pray your Sacred Majesty; that it may be Enacted and Ordained. Preamble Reciting No. 151.

II. AND be it, and it is hereby Enacted and Ordained, by the King's most Excellent Majesty, by and with the Advice and Consent of the Chief Governor of your Majesty's Leeward Charribbee Islands in America, and of the Council and Assembly of this Island, That from and after the publication of this Act, it shall and may be lawful for any White Man, or Free Person to use and draw in the Sea, or in any Creek or Bay of this Island, any Sein, the Mashes whereof shall be not less than One Inch square; any Law to the contrary notwithstanding. Privilege to whom allowed
Mashes to be One Inch square.

III. AND in Case any Sein shall be used or drawn in the Sea, or in any Creek or Bay of this Island, with Mashes of lesser Dimensions than One Inch square, or without a White Man, or Free Person to direct and manage the same, the said Sein shall be forfeited to the Informer; and the Owner or Owners thereof shall forfeit and pay the Sum of Ten Pounds, current Money, Provided Information be made thereof upon Oath, before any one of his Majesty's Justices of the Peace for this Island, within Ten Days after the Offence committed; who is hereby authorized and required to issue his Warrant, to any Constable within this Island, to bring the Offender or Offenders before him, to answer the same; together with all such Sein or Seins as shall be alledged to have been used by such Offender or Offenders, contrary to the Directions of this Act. Sein Forfeited and Owner fined.

IV.

1756.

Fines how to be
Recovered.

IV. AND be it further Enacted by the Authority aforesaid, That all the Fines incurred by any Offender, against this or the beforementioned Act, shall be recovered by Warrant, under the Hand and Seal of any one of his Majesty's Justices of the Peace, directed to the Provost-Marshal of this Island, or his lawful Deputy; who is hereby impowered to levy the same upon the Goods, and Chattels, Lands and Tenements of such Offender or Offenders, sufficient to satisfy such Fine, and to make Sale of the same, within six Days after such Levy made; paying the Overplus of the Monies for which the same were sold, after deducting thereout such Sum directed to be levied thereon, and the Charges attending the same, to the Owner or Owners thereof.

Offenders im-
prisoned until
such Fine be paid.
Fines, how ap-
plied.

V. AND for want of such Goods and Chattels, Lands or Tenements, to imprison the Body or Bodies of such Offender or Offenders, until such Fine shall be paid; the One Moiety of which Fines shall be paid to the Informer, and the other Moiety shall be paid to the Treasurer of this Island, for the Time being, for the Use of the Fortifications, Forts, and Batteries within the same. Dated in St. Christopher's, this Twenty-eighth Day of February, in the Twenty-ninth Year of the Reign of our Sovereign Lord GEORGE the Second, King of Great Britain, France and Ireland, &c. and in the Year of our Lord, One Thousand, Seven Hundred and Fifty-six.

Read and Passed the Assembly this
10th Day of February. 1756.

WILLIAM WEBB,
Clk. Assembly.

ROBERT COLHOUN,
Speaker.

Read and Passed the Council the
20th Day of February 1756.

WILLIAM SMITH,
D. Secretary.

Passed by the Governor in Chief, the Twenty-eighth Day of February, One Thousand, Seven Hundred and Fifty-six.

GEORGE L. S. THOMAS.

Published in St. Christopher's, the 4th of March, 1756.

ROBERT THOMPSON,
D. P. Marshal.

Recorded and Examined, the 6th of March, 1756.

WILLIAM SMITH,
D. Secretary.

No. 167.

Expired.

A Supplementary Act to an Act, intituled, An Act to Establish and Regulate a Militia for the Island of St. Christopher.

No. 168.

Expired.

An Act for Granting an Aid to his Majesty, by a Duty or Tax of Five Shillings, current Money, per Poll on all Negroes and other Slaves; and the further Duty of Five Pounds in the Hundred Pounds, on the yearly Value of all Houses, Ware-houses, Shops and Tenements, in the several Towns within the said Island, for Repairing the Forts and Fortifications, and building a Common Jail, and defraying the other public Expenses of the said Island.

1757.

No. 169.

Expired.

An Act for Raising a Duty on Gun Powder and Small Arms; upon the Tonnage of Vessels Trading to and with this Island; and to Encourage the Importation of Provisions, Stock, Lumber, and other things therein mentioned.

Nov

No. 170.

1757.

An Act for appointing Henry Wilmot, Esquire, Agent for the Island of St. Christopher in Great Britain; in the room of John Sharp, Esquire, lately deceased, and for settling a Salary upon him during the Time of his Agency.

Repealed.
Vid. No. 1289

No. 171.

An Act for the encouraging Privateers to Cruize about the Island of St. Christopher.

Expired.

No. 172.

An Act for repairing the several Fortifications, Forts and Batteries, within this Island.

Expired.

No. 173.

An Act for granting an Aid to his Majesty, by a Duty or Tax of Ten Shillings, current Money, per Poll, on all Negroes and other Slaves, and the further Duty of Ten Pounds, in the Hundred Pounds, on the yearly Value of all Houses, Ware-houses, Shops, and Tenements, in the several Towns within the said Island, for Repairing the Forts and Fortifications, and defraying the other public Expences of the said Island.

Expired.

No. 174.

An Act for the Relief of Debtors, with respect to the Imprisonment of their Persons.

Expired.

No. 175.

1758.

An Act for rendering more Effectual An Act of the Parliament of Great Britain, Passed in the Thirteenth Year of His Present Sacred Majesty King George the Second, and intituled, An Act to Prohibit, for a limited Time, the Exportation of Corn, Grain, Meal, Malt, Flour, Bread, Bisquit, Starch, Beef, Pork, Bacon, and other Victuals, except Fish, Roots, and Rice, to be Exported to any Part of Europe, Southward of Cape-Finistere, from his Majesty's Colonies and Plantations in America, unless to Great Britain, and Ireland, or to some of the said Colonies and Plantations in America, and to permit the Importation of Corn and Flour into Great Britain and Ireland, in Neutral Ships; and to allow the Exportation of Wheat, Oats, Barley, Meal and Flour, from Great Britain, to the Isle of Man for the Use of the Inhabitants there.

It was the 14th George 2d instead of the 13th as here mentioned, and Expired long since.

No. 176.

An Act to enable the Minister and Vestrymen of the Parish of St. George, Basseterre, in the Island of St. Christopher, to proceed to the Choice of Two fit Persons, out of the Parishioners of the said Parish, to serve as Church-wardens for the said Parish, during the present Year, and until a new Election of Vestry-men shall be made in Easter-week, now next ensuing.

Expired.

1758.

No. 177.

An Act to Explain and Amend an Act of this Island, Intituled, An Act against covinous and fraudulent Conveyances; and for a Public Registry in the Island of St. Christopher.

Preamble, reciting 2d Sec. of Act No. 69.

WHEREAS, in and by an Act of this Island, Intituled; An Act against covinous and fraudulent Conveyances, and for a Public Registry in the Island of St. Christopher, it is, amongst other Things Enacted, That from and after the publication of the said Act, no Lands, Tenements, or Hereditaments whatsoever, within this Island, shall pass, alter or change, from one to another; nor any Estate of Inheritance or Freehold, or for Years, shall be made, or any Property therein altered or transferred, or take Effect in any other Person or Persons, or any Use thereof be raised, by reason of any Bargain, Sale, Feoffment, Gift, Letters-patent, Grant, or other Conveyance whatsoever, to be made or executed thereof; except such Letters-patent, Bargain, Sale, Feoffment, Gift, Grant, or other Conveyance shall be Entered and Registered in the said Register's Office, as follows, viz. Every Letters-patent, Bargain, Sale, Feoffment, Gift, Grant, or other Conveyance of, touching, or concerning the Premises, or any of them, made and executed upon the said Island, shall be Registered within three Kalendar Months, after the Making and Executing thereof, and every such Letters-patent, Bargain, Sale Feoffment, Gift, Grant or other Conveyance, made and Executed beyond the Seas, shall be Entered and Registered within the Term of Two Years from and after the Execution thereof: And for the preventing any Frauds that may be Committed by any double Mortgage, or Sale of any Lands, Tenements, Hereditaments, Negroes or other Slaves, after any Mortgage or Sale made thereof.

Recital of 4th Sec. of No. 69.

It is by the said Act also Enacted, That every Grant, Bargain, Sale, or other Conveyance, thereafter to be made, of any Lands, Tenements, Hereditaments, Negroes or other Slaves, for securing the Payment of any Sum or Sums of Money, or Quantity of Sugar, or for the Performance of any Condition whatsoever, shall be void to all Intents and Purposes whatsoever, unless the same be Entered and Registered in the said Office, if made and executed within this Island, in One Kalendar Month; and, if beyond the Seas, within One Year after the Execution of the such Deed.

Recital of 5th Sec. No. 69.

AND for the preventing of Frauds usually committed in making private Gifts and Grants of Negroes or other Slaves, for Consideration of Blood or Natural Affection, it is by the said Act also Enacted, That all and singular Gifts and Grants of Negroes or other Slaves, which thereafter should be made to any Person or Persons whatsoever, in Consideration of Blood, or Natural Affection, or where the Person or Persons to whom such Gift or Grant should be made, was or were any ways allied, by Blood, to the Giver or Granter thereof, should be, *ipso facto*, void to all Intents, Constructions, and Purposes, unless such Gifts and Grants should be put into Writing, and entered and registered in the said Office, within such Time and Times, and in such Manner as other Deeds, Conveyances, Assurances and Mortgages, of Lands, Tenements, Hereditaments, Negroes and other Slaves, within the said Island, are therein before directed and appointed to be entered and registered.

Recites that no Provision was made by said Act for subsequent Purchasers, &c.

AND whereas no Provision is made by the said recited Act, for subsequent Purchasers, or Mortgagees, for valuable Consideration, who shall register the Deeds and Conveyances under which they claim, before prior Purchasers or Mortgagers of the same Lands, Tenements, Hereditaments, Negroes and other Slaves, without having Notice of such prior Purchase or Mortgage.

AND whereas also, the said several Clauses of the said recited Act, may be so construed and expounded, as that a Granter or Mortgager, after granting and conveying Lands, Tenements, Hereditaments, Negroes or other Slaves, for Money or other Consideration, may retain the Possession of, or re-enter upon, or recover the same again, in Case the Letters-patent, Bargain, Sale, Feoffment, Gift, Grant, or other Conveyance, of or concerning the Premises, shall not be registered within the respected Times Limited for registering the same, by the said recited Act, which, whatever the Cause of Failure in registering the same may be, as between the Parties only to such Deeds or Conveyances, is inconsistent with Equity and natural Justice, and the true Intention of the said Act. For Prevention whereof, We, your Majesty's dutiful and loyal Subjects, the Captain-General and Governor in Chief of all your Majesty's *Leeward Charribbee* Islands in *America*, and the Council and Assembly of the Island of St. *Christopher*, humbly pray your Majesty that it may be Enacted.

All Grants, Mortgages, and other Conveyances fraudulent against subsequent Purchasers, &c. unless they are Registered before subsequent Grants, &c.

II. AND be it, and it is hereby Enacted, by the King's most Excellent Majesty, by and with the Advice and Consent of the said Chief Governor, and the said Council and Assembly, and the Authority of the same, That all and every Letters-patent, Bargains, Sales, Feoffments, Grants, Mortgages, and other Conveyances whatsoever, of any Lands, Tenements, Hereditaments, Negroes, and other Slaves in this Island, shall be adjudged fraudulent, against any subsequent Purchaser or Mortgagee, for valuable Consideration; unless such

Letters-

Letters-patent, Bargains, Sales, Feoffments, Grants, Mortgages, and other Conveyances, be registered in the said Office, before the registering the Deed or Conveyance under which such subsequent Purchaser or Mortgagee shall claim.

1758.

III. AND it is hereby further Enacted, That all Letters-patent, Bargains, Sales, Feoffments, Gifts, Grants, and other Conveyances whatsoever, absolute or conditional, of any Lands, Tenements, Hereditaments, Negroes, or other Slaves, in this Island, which shall be Entered and Registered in the said Register's Office, after the expiration of the Time or Times in the said Act limited for registering thereof respectively, shall operate and be as valid and effectual against the Grantors, Mortgagors and other Persons therein named, only from whom the Interest passes, as if the same had been Entered and Registered within the Time or Times respectively limited by the said Act; any Clause, Matter or Thing in the said recited Act mentioned to the Contrary thereof, in any Wise, notwithstanding.

Let-ter-patent, &c. allowed to be valid against Grantors, Mortgagors, tho' not Registered within the time appointed by Act No. 69.

IV. PROVIDED always, that such Deeds, Grants, and Conveyances shall not be pleaded to, or destroy or Weaken any Right, Title or Interest in or to all or any the Lands, Tenements, Hereditaments, Negroes or other Slaves therein mentioned, which any Person or Persons shall have or claim, under, or by Virtue of any subsequent Deed, Grant, or Conveyance, which was; or shall be duly Entered and Registered in the said Register's Office, within the Time or Times respectively limited by the said recited Act.

Deeds, &c. not to be pleaded or destroy the right of subsequent Purchaser, &c. if Registered in due Time.

V. AND be it, and is hereby further Enacted by the Authority aforesaid, That Copies of All Letters-patent, Bargains, Sales, Feoffments, Gifts, Grants, Mortgages, Wills, and other Conveyances, which at any Time heretofore, have been, or hereafter shall be duly Entered and Registered in the said Register's Office, pursuant to any Clause in the said recited Act, or in this present Act, and attested by and under the Hand of the said Register, or in his absence, by and under the Hand of his lawful Deputy, for the Time being, shall, in Case the original Letters-patent, Bargain, Sale, Feoffment, Gift, Grant, Mortgage, Will, or other Conveyance, shall be proved upon Oath to be lost or mislaid, so that the same cannot be produced, be allowed as good and sufficient Evidence, and shall be pleaded in all Courts in the said Island, as the Original might or could be, if such Original was then and there exhibited.


Copies of Letters patent, Bargains, &c. in Case the Original be lost or mislaid to be valid.

VI. AND be it further Enacted, That this Act shall be taken and allowed in all Courts within this Island as a Public Act, and all Judges and Juries are to take Notice thereof, without specially pleading the same. Dated in St. Christopher, the Twenty-first Day of June, in the Thirty-first Year of the Reign of our Sovereign Lord GEORGE the Second, by the Grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, &c. and in the Year of our Lord One Thousand Seven Hundred and Fifty-eight.

Public Act.

Read and Passed the Assembly this	} ROBERT COLHOUN, {	Read and Passed the Council the
19th Day of May, 1758.		29th Day of May, 1758.
WILLIAM WEBB,	Speaker.	WILLIAM SMITH,
Clk. Assembly.		D. Secretary.

Passed by the Governor in Chief, the Twenty-first Day of June, One Thousand, Seven Hundred and Fifty-eight.

GEORGE  THOMAS

Published this Act in Basseterre, July 11, and in Old Road and Sandy Point the 12th.
The Answer of

WILLIAM MANNING.
D. P. Marshal.

Recorded and Examined, this 18th of July, 1758.

WILLIAM SMITH,
D. Sec.

No. 178.

An Act for granting an Aid to his Majesty by a Duty or Tax of Eight Shillings, current Money, per Poll, on all Negroes and other Slaves; and the further Duty of Eight Pounds in the Hundred Pounds, on the yearly Value of all Houses, Ware-houses, Shops and Tenements, in the Several Towns within the said Island, for Repairing the Forts and Fortifications, and Defraying the other Public Expences of the said Island. Expired.

No.

1758.

No. 179.

Expired.

An Act for granting an Aid to his Majesty by a Duty or Tax of Seven Shillings, current Money, per Poll, on all Negroes and other Slaves; and the further Duty of Seven Pounds, in the Hundred Pounds, on the yearly Value of all Houses, Ware-houses, Shops, and Tenements, in the several Towns within the said Island, for Repairing the Forts and Fortifications, and Defraying the other Public Expences of the said Island.

1759.

No. 180.

An Act for Punishing with Death, all Negroes and Slaves, who shall attempt to take away the Life of any White Man, or Free Person, by Poison.

Preamble.

WHEREAS divers of your Majesty's Subjects in this Island have lately been in great Danger of Death, by means of Poison being maliciously mixed with their Food, with an Intent to kill them, by Negroes and other Slaves, Therefore we your Majesty's most dutiful and loyal Subjects, the Council and Assembly of the said Island of St. Christopher, pray your Majesty that it may be Enacted.

Negroes or other Slaves, attempting to Poison a White or Free person, shall suffer Death.

II. AND be it Enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Governor in Chief of his Majesty's Leeward *Charribbee* Islands in America, and the Council and Assembly of your Majesty's Island of St. Christopher, and by the Authority of the same, That from and after the Publication of this Act, if any Ngeroe or other Slave or Slaves shall attempt to take away the Life of any White or Free Person or Persons by Poison, That then and in every such Case, such Negroe or other Slave or Slaves, and their Accessaries or Abettors (being Slaves) shall be adjudged, and are hereby declared and made Felons, and shall suffer Death for the same.

To be tried by Two or more Justices of the Peace.

III. AND be it further Enacted, That such Negroe, or Slave or Slaves, their Accessaries and Abettors, being Slaves, shall be tried before any Two or more of his Majesty's Justices of the Peace, who shall, upon Conviction, have Power, by this Act, to condemn such Negroe or Slave or Slaves, or such Accessaries or Abettors, to Death, and order Execution of such Sentence to be done upon such Criminal or Criminals, at such Time and Place, and in such Manner as the said Justices shall think fit, by Warrant under their Hands and Seals, directed to the Provost-marshal of the said Island, or his lawful Deputy.

Criminals to be appraised before Execution not to exceed 5000 lb. if Sugar rated at 25s. per Cent. Marshal to receive 500 lb. Owner the residue.

IV. PROVIDED that such Criminal or Criminals shall, before Execution, be appraised by Two Freeholders, and not to exceed the Value of Five Thousand Pounds of Muscovado Sugar, rated at Twenty-five Shillings *per Cent.* for each Criminal out of which the Provost-marshal, or his lawful Deputy, shall be paid Five Hundred Pounds of Muscovado Sugar, at the Rate aforesaid; and the Owner of each such Criminal shall be paid the Residue of the said Five Thousand Pounds of Sugar, at the same Rate; and the Marshal or his lawful Deputy, is hereby ordered to see Execution performed upon the said Criminal or Criminals accordingly. Dated in St. Christopher, the Thirty-first Day of October, in the Thirty-third Year of the Reign of our Sovereign Lord George the Second, by the Grace of God, of Great Britain, France and Ireland, King, Defender of the Faith, &c. and in the Year of our Lord, One Thousand, Seven Hundred and Fifty-nine.

Read and passed the Assembly this } ROBERT COLHOUN, { Read and passed the Council this
25th Day of June, 1759. } Speaker. { 3d of September, 1759.
WILLIAM WEBB, }
Clerk of the Assembly. } WILLIAM SMITH,
D. Secretary.

Passed by the Governor in Chief, the Thirty-first Day of October, 1759.

GEORGE L. S. THOMAS.

Published in the Town of Basseterre, on Monday, the 5th of November, 1759, and at Old Road, and Sandy-Point, the 6th day of the same Month.

The Answer of

WILLIAM MANNING,
D. P. Marshal.

Recorded and Examined the 26th of November, 1759.

WILLIAM SMITH,
D. Sec.

No.

No. 181

1760.

An Act for granting an Aid to his Majesty by a Duty or Tax of Two Shillings, current Money, per Poll, on all Negroes and other Slaves, and the further Duty of Two Pounds, in the Hundred Pounds, on the yearly Value of all Houses, Ware-houses, Shops, and Tenements in the several Towns within the said Island, for Repairing the Forts and Fortifications, and Defraying the other Public Expences of the said Island. Expired.

No. 182.

1761.

An Act for granting an Aid to his Majesty, by a Duty or Tax of Two Shillings, per Poll, on all Negroes and other Slaves, and the further Duty of Two Pounds, in the Hundred Pounds, on the yearly Value of all Houses, Ware-houses, Shops, and Tenements, in the several Towns within the said Island, for Repairing the Forts and Fortifications, and defraying the other public Expences of the said Island. Expired.

No. 183.

1762.

An Act for raising a Number of able bodied Slaves, not less than Two Hundred, for the Service of the Expedition, now going forward against the Island of Martinico; and for other Purposes therein mentioned. Expired.

No. 184.

An Act to amend and render more Effectual An Act, Intituled, a Supplementary Act, to An Act, Intituled, An Act to Establish and Regulate a Militia, for the Island of St. Christopher. Expired.

No. 185.

An Act for raising a Duty on Gun Powder and Small Arms; upon the Tonnage of Vessels trading to and with this Island, and to Encourage the Importation of Provisions, Stock, Lumber, and other Things therein mentioned. Expired.

No. 186.

An Act for preventing Abuses in the Inland Trade of this Island, and for Explaining and Rendering more Effectual An Act, Intituled, An Act to Prevent all Persons, Negroes and other Slaves, from Hawking and Retailing Wares and Merchandizes, through the several Plantations, Towns, or Parishes of this Island, and for the preventing the Sale of Goods, Wares, and Merchandizes, by way of Lottery and Lotteries for Money. Expired.

No. 187.

An Act for the Relief and Release of John Harris, John Merritt, James M'Kenzie, Francis Fisher, Ann Rowland, Francis Smith, Elizabeth Frank, Willam Pilkington, Mariner, William Brown, Elizabeth Bennett, John Tipton, Thomas Hughes, Isaac Billett, Robert Collett, and Thomas Bonyea, poor distressed Prisoners, for Debt, now Confined in the common Jail of the Island of St. Christopher. Expired.

H h

No.

1762.

No. 188.

Expired.

An Act to continue An Act to Establish and Regulate a Militia, for the Island of St. Christopher, with the Articles of War, made and Passed at the same Time and annexed to the said Act; and also to continue a Supplementary Act to An Act, Intituled, An Act to Establish and Regulate a Militia, for the Island of St. Christopher, and also An Act to amend and render more Effectual An Act, Intituled, a Supplementary Act to An Act, Intituled, An Act to Establish and Regulate a Militia, for the Island of Christopher.

1763.

No. 189.

Expired.

An Act for granting an Aid to his Majesty, by a Duty or Tax of Four Shillings and Six Pence, current Money, per Poll, on all Negroes and other Slaves; and the further Duty of Four Pounds Ten Shillings in the Hundred Pounds on the yearly Value of all Houses, Ware-houses, Shops, and Tenements, in the several Towns within the said Island, for Repairing the Forts and Fortifications, and Defraying the other Public Expences of the said Island.

No. 190.

Expired.

An Act for the Relief and Release of William Kemp Tobin, John Armstrong, Jonathan Edmonds, William Wilson, Lewis Armsburg, James Wood, Peter Lynch, Martin Rifdon, John Finley, Domingo George, Robert Barnett, Edward Morris, Richard Thompson, Joseph Banks, John Peterson, John Crosby, Thomas Pearce, George Paterson, David Judah, David Anderson, John Blackmore, Titus Jackman, Sarah Morris, Mary Blackmore, Rebecca Hunter, Francis Smith, and Elizabeth Bennett, poor distressed Prisoners, for Debt, now Confined in the common Jail of the Island of St. Christopher.

1764.

No. 191.

Expired.

An Act for granting an Aid to his Majesty, by a Duty or Tax of Three Shillings, current Money, per Poll, on all Negroes and other Slaves; and the further Duty of Three Pounds, in the Hundred Pounds, on the yearly Value of all Houses, Ware-houses, Shops and Tenements in the several Towns within the said Island, for Repairing the Forts and Fortifications, and Defraying the other Public Expences of the said Island.

No. 192.

Expired.

An Act for the better regulating of, and for laying a Tax on Vintners and Retailers of Wine, Rum and Rum Punch, and other strong Liquors; for lessening the Number of Distillers, and for the more effectual Prevention and Discouragement of harbouring, entertaining, and concealing of Sailors, Servants, Negroes and other Slaves, in the Island of St. Christopher's, by Vintners and Retailers of strong Liquors, aforesaid.

No.

No. 193.

1764.

An Act for the Relief and Release of Hubbert Dexter, Edward Phipps, Thomas Lambert, Edward Jones, Edmond Ripley, Anthony French, James Woods, Bartholomew Connolly, Elizabeth Barnett, Hester Hilton, Francis Brown, Sarah Young, Shadlock Rivers, and Nicholas Kirwan, *poor distressed Prisoners, for Debt, now confined in the common Jail of the Island of St. Christopher.* Expire.

No. 194.

An Act for the better regulating the Practice of the Law in the Island of St. Christopher.

WHEREAS it will tend to the manifest Advantage of Suitors, and also to the saving of unnecessary Expence, that Persons admitted to the Bar of the Court of King's-bench and Common-pleas in this Island, should also be admitted to practice as Attornies and Solicitors in the said Court. Preamble:

II. BE it, and it is hereby Enacted, by the King's most Excellent Majesty, by and with the Advice and Consent of the Chief Governor of his Majesty's *Leeward Charribbee Islands* in *America*, and the Council and Assembly of *St. Christopher*, That, from henceforth, any Person who has been, or hereafter shall be admitted to the Bar of the said Court, shall and may, upon taking the Oath appointed to be taken by Attornies and Solicitors of the said Court, before your Majesty's Council for the said Island, the Court of King's-bench and Common pleas, or the Court of Sessions, be admitted to practice as an Attorney and Solicitor in the said Court; any Law, Custom or Usage to the Contrary thereof, in any Wise, notwithstanding. Persons admitted to the Bar, may, upon taking the Oath, be admitted to practice as Attornies, &c.

III. AND whereas it has been usual and customary to allow the Sum of Fourteen Shillings, as a Fee, to the Attorney, for drawing a Declaration; and also to allow the further Sum of One Pound and One Shilling, as a Fee to the Counsel, for perusing and signing the same: And it has likewise been usual and customary to allow the Sum of Fourteen Shillings, as a Fee to the Attorney; and also a further Sum of One Pound Eight Shillings, as a Fee to the Counsel for moving for Judgment. Customary allowance to Attorney and Counsel.

IV. BE it therefore further Enacted, by the Authority aforesaid, That from henceforth no Barrister, practising as an Attorney of the said Court, shall take or receive in any Case wherein such Barrister shall practise as an Attorney of the said Court, any other or greater Fee or Reward, for drawing, perusing, and signing a Declaration, than the Sum of One Pound and One Shilling; allowed to Counsel for perusing and signing the Declaration; neither shall he take any other or greater Fee or Reward than the Sum of One Pound and Eight Shillings, for Moving for Judgment; neither shall any Barrister, practising as an Attorney or Solicitor of the said Court, be allowed any Fee or Reward for making out a Brief. Barristers Fees Restricted.

V. AND for the more effectual preventing frivolous and vexatious Arrests, Be it further Enacted by the Authority aforesaid, That from henceforth, no Person or Persons shall be held to Special Bail, upon any Writ of *Capias ad Respondendum*, or other Process, issuing out of the said Court of King's-bench and Common-pleas, unless Affidavits shall be first made and filed of the Plaintiff or Plaintiffs Cause of Action; which Affidavit shall be sworn to before any one of the Justices of the said Court, or before the Secretary or his lawful Deputy, and filed in the Secretary's Office of the said Island; and for swearing such Affidavits Six Shillings shall be paid to the said Justice, or to the Secretary, or his lawful Deputy, before whom the same shall be made; and for filing thereof One Shilling be paid to the Secretary, and no more; and the Sum or Sums specified in such Affidavit shall be endorsed on the Back of such Writ of *Capias ad Respondendum*, or other Process; for which Sum or Sums so endorsed, the Provost-marshal of the said Island, or other Officer, to whom such Writ of *Capias ad Respondendum*, or other Process shall be directed, shall take Bail, and for no more: and if hereafter any Writ of *Capias ad Respondendum*, or other Process, shall issue out of the said Court, in Order to hold any Defendant or Defendants to special Bail, and no Affidavit or Endorsement shall be made as aforesaid, the Plaintiff or Plaintiffs shall not proceed to arrest the Body of the Defendant, or Defendants, but shall proceed in like Manner as if such Plaintiff or Plaintiffs had proceeded by a Writ of Summons only. Dated in *St. Christopher*, the Fourteenth Day of December, in the Fifth Year of the Reign of our Sovereign Lord *GEORGE* the Third, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, &c. and in the Year of our Lord One Thousand Seven Hundred and Sixty-four. No Person to be held to special Bail, unless Affidavits first made and filed, &c.
Fee for swearing and filing.
Sum sworn to, to be Endorsed on the Writ.
Bail to be taken for no other Sum than that Sworn to.
If Affidavit or Endorsement is not made, Plaintiff to proceed by Summons only.

Read and passed the Assembly this
19th Day of Sept. 1764.

SAM. OKES TAYLOR, }
Speaker.

Read and passed the Council this
16th Day of Octo. 1764.

WILLIAM WEBB, Clerk of the Assembly.

WILLIAM SMITH, D. Secretary.
Passed

1764.

Passed by the Governor in Chief, the Fourteenth Day of *December*, One Thousand Seven Hundred and Sixty-four.

GEORGE L. S. THOMAS.

Published in the Town of *Basseterre*, on Friday the Twenty-eight Day of *December*; and in the Towns of *Old Road*, and *Sandy-Point*, on Saturday the Twenty-ninth Day of the said Month; in the Year of our Lord One Thousand Seven Hundred and Sixty-four.

The Answer of

HENRY BERKELEY.

D. P. Marshal.

Recorded and Examined

WILLIAM SMITH,

D. Sec.

No. 195.

Expired.

An Act to Establish and Regulate a Militia for the Island of St. Christopher.

No. 196.

Expired.

An Act for Granting an Aid to his Majesty, by a Duty or Tax of Three Shillings and Six-pence, current Money, per Poll, on all Negroes and other Slaves; and the further Duty of Three Pounds Ten Shillings, in the Hundred Pounds, on the yearly Value of all Houses, Ware-houses, Shops and Tenements, in the several Towns within the said Island, for Repairing the Forts and Fortifications, and Defraying the other Public Expences of the said Island.

No. 197.

An Act for the better Regulating of Seamen and Sailors, and obliging all Masters of Ships and other Vessels to take care of their Sick Seamen or Sailors.

Preamble.
Vide Acts 100
and 276.

WHEREAS the Navigation of this Island labours under great Difficulties and Disappointments, by Reason of the disorderly Behaviour of the Sailors and Seamen occasioned chiefly by the Entertainment and Credit they meet with in the Punch-houses of this Island and also by Sailors leaving the Vessels they have been entered in before they have performed the Voyage they have been entered for, to which they are encouraged by being shipped at higher Wages by the Masters of other Vessels.

Former Laws
having proved
ineffectual.

AND whereas the Laws already made have proved ineffectual for the Prevention of the Mischiefs aforesaid, We, your Majesty's most dutiful and loyal Subjects, the Governor in Chief in and over all your Majesty's *Leeward Charribbee* Islands in *America*, and the Council and Assembly of your Majesty's Island of *St. Christopher*, humbly pray your most Sacred Majesty, that it may be Enacted.

Seamen offend-
ing for the fu-
ture to forfeit
their Wages.

II. AND be it, and it is hereby Enacted, by the King's most Excellent Majesty, by and with the Advice and Consent of the said Governor in Chief and the Council and Assembly of the said Island of *St. Christopher*, That all Sailors and Seamen, belonging to any Ship, Sloop, or Vessel whatsoever, lying at Anchor in any of the Roads of this Island, who, after the Publication of this Act, shall leave, or absent himself from the Ship or Vessel to which he belongs, for the space of Forty-eight Hours, without the Order or Consent, or leave of the Master or Mate, of the Ship, Sloop or Vessel to which he shall belong, and shall be thereof convicted by the Oath of his Master or Mate, and by any other Person before any of his Majesty's Justices of the Peace for the said Island, then such Sailor or Seaman shall forfeit and lose all the Wages which shall be due to him for his Service on board the Vessel he shall so leave, or absent himself from.

III.

III. AND be it, and it is hereby also Enacted, That if any Keeper of any Punch-house, or Seller of Rum or Rum-punch, or any other Liquor, shall harbour or receive any Sailor or Seaman belonging to any Ship or Vessel lying at Anchor in any of the Roads or Bays of the said Island, without a Ticket from his respective Master or Mate, after the Hour of Eight of the Clock at Night, without the Permission of the Master or Mate of the Sloop or Vessel to which he belongs; or shall at any Time of the Day or Night, conceal any Sailor from any Person belonging to the same Vessel; who shall enquire for him, or who shall permit any Sailor to remain in any House or Yard belonging to him, for the Space of One Hour after he shall be forewarned or forbid so to do, by the Master or any Mate of the Ship or Vessel to which he shall belong, such Seller of Rum or Rum-punch, or other Liquors, in any or either of the said Cafes, being thereof convicted before the Commander in Chief for the Time being, or two Justices of the Peace, One of which to be of the Quorum (by the Oath of the Master or Mate of the Ship or Vessel so forewarning and forbidding) shall be, upon proof of the Facts, deprived of and forfeit his or her Licence for selling Liquors; and also shall Incur and Suffer the same Penalties and Forfeitures, and to be recovered in the same Manner as by the Laws of this Island now in Force are laid or imposed, and directed, in Case of Persons selling Liquors without Licence.

1766.

Keepers of punch houses, &c. secreting Seamen forfeit their Licence, and incur the Penalty.

IV. AND be it, and it is hereby further Enacted, by the Authority aforesaid, That all Masters of Ships and other Vessels, who shall at any Time hereafter ship or receive on board, any Seaman or Sailor, without having a Certificate of his Discharge, under the Hand of the Master of the Ship or Vessel he last served in, or otherwise, in Case such Sailor hath no such Certificate; and before he hath made Oath before One of his Majesty's Justices of the Peace for the said Island, That he doth not belong to any Ship or Vessel whatsoever, and was Legally discharged from the Ship or Vessel he last served on board; shall forfeit and pay the Sum of Twenty Pounds, current Money of the said Island, for every such Offence; One half to be paid to the Master of the Ship or Vessel which the Sailor or Seaman shall leave and desert without being duly discharged; and the other Part thereof to the Church-wardens of the Parish next adjacent to the Road or Bay where the Ship or Vessel from which such Sailor deserted was at Anchor at the Time of his Desertion, for the Use of the Poor of the same Parish; and to be recovered in any of his Majesty's Courts of Record in the said Island, by Bill, Plaint, or Information, wherein no Essoign, Protection or Wager of Law shall be allowed.

Masters of Ships, &c. employing Seamen, not legally discharged from the last Ship they served on board of, forfeit the Sum of Twenty Pounds for every Offence.

V. AND whereas sick and disabled Sailors have been frequently left upon this Island, by their respective Captains, whereby great Expence and Charges have accrued to the several Parishes, particularly that of St. George, Basseterre, amounting annually to very considerable Sums for their Maintenance and Burial: for Prevention thereof, and for obliging all Masters of Vessels to take proper Care of their Seamen, and provide for such of them as are sick.

Sick & disabled Seamen left upon this Island,

VI. BE it, and it is hereby Enacted by the Authority aforesaid, That from and after the Publication of this Act, it shall be inserted in, and made Part of the Condition of the Bonds entered into at the Secretary's Office of this Island, upon the Arrival of any Ship or Vessel, by the Master or Commander of the same, That the Master or Commander, or his Securities, shall provide for and take Care of the Sailors or Mariners belonging to his Vessel; so that they or any of them shall not become chargeable to any Parish of this Island, within such Space of six Months, after the Departure from this Island, of the Ship or Vessel to which he or they shall belong, except such Sailors as belong to, or have gained a legal Settlement in some Parish in this Island.

are to be provided for by the Masters or his Sureties. Vide Acts No. 79, 100, 123.

VII. And also, that from and after the Publication of this Act, the Penalty of such Bonds to be entered into, at the Secretary's Office, shall be Fifteen Hundred Pounds, current Money. Dated in St. Christopher's the Twenty-sixth Day of April, in the Sixth Year of the Reign of our Sovereign Lord GEORGE the Third, by the Grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith; and so forth; and in the Year of our Lord, One Thousand, Seven Hundred and Sixty-six.

Penalty of the Bonds to be entered into.

Read and Passed the Assembly } PETER T. TYSON, { Read and Passed the Council the
this 15th of April, 1766. } Speaker. { 15th Day of April, 1766.
WILLIAM WEBB, GEO. F. WILLIAMS,
Clk. Assembly. Dep. Secretary.

Passed by the Governor in Chief, the Twenty-sixth Day of April, One Thousand Seven Hundred and Sixty-six.

GEORGE L. S. THOMAS.

1766.

Published in the Town of *Basseterre*, on Friday the Second Day of *May*; and in the Towns of *Old Road*, and *Sandy Point*, on Saturday the Third Day of the same Month; in the Year One Thousand Seven Hundred and Sixty-six.

The Answer of

HENRY BERKELEY,
D. P. Marshal.

Recorded and Examined;

GEO. F. WILLIAMS,
D. Secretary.

No. 198.

An Act for Constituting a Court of Chancery in this Island.

Expired.

No. 199.

This is an Act of the Parliament of Great Britain, 6 Geo. 3, Ca. 53, and was published in the last Edition of the Laws, but is now so generally understood and conformed to, that it is thought unnecessary to Print it here.

An Act for Altering the Oath of Abjuration and the Assurance, and for amending so much of An Act, of the Seventh Year of her late Majesty Queen ANN, intituled, An Act for the improvement of the Union of the Two Kingdoms; as after the Time therein limited Requires the Delivery of certain Lists and Copies therein mentioned to Persons Indicted of High Treason or Mifprison of Treason.

No. 200.

Private.

An Act for the Naturalization of Mary Magdalen, the Wife of the Hon. Stephen Payne, Esquire.

No. 201.

1758.

The Royal Assent was refused to this Act.

An Act to amend An Act, intituled, An Act to enable the several Parts of this Island, formerly belonging to the French, to choose and send Representatives, to serve in the Assemblies of this Island, to declare and ascertain the Number of Representatives for the whole Island, what Number each Parish shall Elect, and the several Qualifications of the Electors and Candidates, to Secure the Freedom of Elections, and for repealing An Act of this Island, dated the Thirteenth Day of November, One Thousand Seven Hundred and Eleven, intituled, An Act for Preserving the Freedom of Elections, and appointing who shall be deemed Freeholders, and be capable of electing or being elected Representatives.

No. 202.

An Act for Enlarging and Ascertaining the Limits of the Town of Basseterre, in this Island.

Preamble;

WHEREAS the Town of *Basseterre* hath, of late Years, been considerably augmented and enlarged, by the Additions of a great Number of Houses and other Buildings, erected on Parts immediately contiguous thereto, by Means whereof divers new Streets, Lanes, and Alleys, have been formed and laid out, so very close and adjacent to what was heretofore only considered as the Town of *Basseterre*, and in such sort as to make such additional Streets, Alleys, and Buildings, and what was so formerly considered as the said Town, taken together, to have the Appearance of, and to become as One compact, single, and entire Town.

II. AND whereas it is meet and reasonable, that the Owners of such new Houses and Buildings should, on the One Hand, as well be entitled to all the Privileges and Advantages, and on the other Hand be subject to all the Taxes, and other Duties and Burthens, either

either public, parochial, or others, enjoyed, payable, or sustained by the Owners of Houses of that Part of the said Town hitherto only known, and understood as the Town of *Basseterre*. 1768.

III. Now therefore, We, your Majesty's most dutiful and loyal Subjects, the Commander in Chief of all your Majesty's *Leeward Charribbee* Islands in *America*, and the Council and Assembly of your Majesty's Island of *St. Christopher*, pray, that it may be Enacted, and be it, and it is hereby Enacted, by his Majesty, by and with the Advice and Consent of the said Commander in Chief, and the Council and Assembly of this Island, and by the Authority of the same, that from the Publication of this present Act, the Town of *Basseterre* shall be taken and considered to include all the Land lying between, and within Lines to be drawn or considered as drawn, in the following Manner, viz. beginning at the East End, from the Sea Side lying due South of the South-West Corner of *Fort Londonderry*, and to run thence in a straight Line, due North to the Point, to lie due East of the Center of the Path leading from *Upper College-street*, along by the North Side of the House and Land now occupied by *Thadeus Queely*, Esquire, towards the Plantation of *George Taylor*, Esquire, and beginning at the West End, at the Sea Side, lying due South of the South-West Corner of the Fort called *Fort Thomas*, and to run thence in a straight Line due North, to a Point to lie due West of the said Center of the said Path, leading from *Upper College-street*, and then to run due West from the North Extremity of such last-mentioned Line, until it comes to the North Extremity of such first-mentioned Line, which is so to run from the Sea Side near the South-West Corner of *Fort Londonderry*, and to include all the Land lying within the Lines so herein before described, to the North of the Sea. And that the Bounds and Limits of the said Town of *Basseterre* shall, from henceforth, to all Intents and Purposes whatever, be taken and considered according to Lines to be drawn in Manner aforesaid, and in such Sort as herein before declared and ascertained. Limits of the Town of Basseterre.

IV. AND be it, and it is hereby Enacted, That all the House and Buildings already erected, or hereafter to be erected within the Limits so hereby declared and ascertained as aforesaid, shall be taken and considered as Houses lying in the Town of *Basseterre*, in this Island, and the Owners of all such Houses and Buildings shall, in Respect thereof, be entitled to all such Benefits, Rights and Privileges, as well of being themselves chosen, as having Votes in the Choice of others, to be Members of the Assembly of this Island respectively; and all other Benefits, Rights and Privileges, and shall also be subject to the Payment of all such Taxes and Assessments, and to all such other Duties and Burthens, whether public or parochial, or others, as the Owners of Houses or other Buildings, within the ancient Limits of what has hitherto been only called and taken as the Town of *Basseterre* have, in Respect thereof, held and enjoyed, or being liable to pay, or subject to, before the making and passing of this Act. All houses hereafter built within said Limits, to be part of the Town, and to be subject to all Duties, &c.

V. PROVIDED always, and be it, and it is hereby Enacted by the Authority aforesaid, That nothing in this Act shall be taken or construed to affect, prejudice, or have Regard to the Owners, Renters, or Occupiers of any Plantation which, or any Part of which may happen to lie or be comprized within the Limits of the said Town of *Basseterre*, as by this present Act the same are set out and declared, or any House or Building to be erected thereon, for the Use and Convenience of any Plantation or any Part. Dated in *St. Christopher*, the Ninth Day of *April*, in the Eighth Year of the Reign of Our Sovereign Lord *GEORGE* the Third, by the Grace of God, of *Great Britain, France, and Ireland*, King, Defender of the Faith, &c. and in the Year of our Lord One Thousand Seven Hundred and Sixty-eight. Provide

Read and passed the Assembly this	}	JOHN FAHIE,	{	Read and passed the Council this
7th Day of April, 1768.				7th of April, 1768.
WILLIAM WEBB,				GEO. F. WILLIAMS,
Clerk of Assembly.		Speaker.		D. Secretary.

Passed by the Commander in Chief, the Ninth Day of *April*, 1768.

JAMES  VERCHILD.

Published in the Town of *Basseterre*, *Old Road*, and *Sandy Point*, on Saturday the Ninth Day of *April*; in the Year of our Lord One Thousand Seven Hundred and Sixty-eight.

The Answer of

HENRY BERKELEY,
D. P. Marshal.

Recorded and Examined,

GEO. F. WILLIAMS,
D. Sec.
No. 123.

1769.

No. 203.

Expired.

An Act for the Granting an Aid to his Majesty, by a Duty or Tax of Seven Shillings, current Money, per Poll, on all Negroes and other Slaves; and the further Duty of Seven Pounds, in the Hundred Pounds, on the yearly Value of Houses, Ware-houses, Shops and Tenements, in the several Towns within the said Island, for Repairing the Forts and Fortifications, and Defraying the other Public Expences of the said Island.

No. 204.

Expired.

An Act for settling the Sum of Twelve Hundred Pounds, current Money, for one Year, to be computed from the Tenth Day of April last; and after the Expiration of the said Year, the Sum of Eight Hundred Pounds, current Money, per Annum, upon his Excellency William Woodley, Captain General and Governor in Chief in and over all his Majesty's Leeward Charribbee Islands in America; for the more Honourable Support of him, and the Dignity of his Majesty's Government, During the Term therein specified; and for Raising the Sum of Twelve Hundred Pounds, current Money, for one Year, by a Duty or Tax of Two Shillings, current Money, per Poll, upon all Negroes and other Slaves, within this Island; and a further Sum of Eight Hundred Pounds, current Money, by a Duty or Tax of One Shilling, current Money, per Poll, on the said Negroes and other Slaves, for every succeeding Year during the Term therein specified, to be applied to the several Uses and Purposes therein Declared and appointed.

No. 205.

Expired.

An Act for the Relief of Debtors, with Respect to the Imprisonment of their Persons.

No. 206.

Expired.

An Act for the better regulating of, and for laying a Tax on Vintners and Retailers of Wine, Rum, and Rum Punch, and other strong Liquors; for lessening the Number of Distillers, and for the more effectual Prevention and Discouragement of barbouring, entertaining, and concealing of Sailors, Servants, Negroes and other Slaves, in the Island of St. Christopher's, by Vintners and Retailers of strong Liquors, aforesaid.

No. 207.

Expired.

An Act for raising a Duty of Gun Powder and Small Arms; upon the Tonnage of Vessels trading to and with this Island, and to encourage the Importation of Provisions, Stock, Lumber, and other Things therein mentioned.

No. 208.

Expired.

An Act for establishing a Militia in this Island, and for ordering and regulating the same.

No. 209.

Private.

An Act to enable the Honorable John Estridge, of the Island of Saint Christopher, Esquire, and William Wallwin, of the same Island, Esquire, the Guardians of John Taylor Milliken, an Infant

Infant of the age of Fifteen Years, or thereabouts, Eldest Son of James Milliken, and Elizabeth, his Wife, both late of the said Island of Saint Christopher, Deceased; to Purchase all the Estate, Right Title, and Interest, of Samuel Okes Taylor, Esquire, of, in, and to, a certain Plantation, with the Slaves and Plantation Stock thereunto belonging, lying and being in the Parish of Saint John, Capisterre, in the said Island of Saint Christopher, (which said Plantation and Premises were the Estate and Inheritance of the said Elizabeth Milliken; who, after the Death of the said James Milliken, intermarried with the same Samuel Okes Taylor,) and for enabling the said John Estridge, and William Wallwin, to raise Money by Mortgage, of all or any part of the said Plantation and Premises; Sufficient to purchase all the Right, Title and Interest of the said Samuel Okes Taylor; therein and thereto, and to discharge all the Incumbrances affecting the same, and for vesting all the Premises in them the said John Estridge, and William Wallwin in Trust, for the purpose aforesaid, and subject thereto, in Trust, for the Use of the Person or Persons entitled thereto, by Virtue of, and agreeable to the last Will and Testament or Writing Testamentary of the said Elizabeth Taylor, (formerly Milliken) made and Published, in pursuance of the said Marriage Settlement of the said Samuel Okes Taylor, and Elizabeth Taylor.

1770.

No. 210.

1771.

An Act for the more effectual obliging the Members of the Council and Assembly of this Island, to Meet punctually and exactly, at such Time and Place, and so often as they shall be legally Summoned, as also to serve when duly Elected, and for amending An Act of this Island, made in the Tenth Year of the Reign of her late Majesty Queen ANN, intituled, An Act to oblige the Members of the Council and Assembly of this Island to meet punctually and exactly, at such Time and Place, and so often as they shall be legally Summoned, as also to serve when duly Elected.

WHEREAS an Act, intituled, An Act to oblige the Members of the Council and Assembly to meet punctually and exactly, at such Time and Place, when and so often as they shall be legally Summoned as also to serve when duly elected, has not been found Sufficient to compel a due and exact Meeting of the Legislature, at the Times and Places appointed by legal Authority: And Whereas nothing can tend more to the Benefit and Advantage of this Island, than a punctual and exact Meeting of the Members of the Council and Assembly, at such Time, and Place, when and so often as they shall be legally Summoned: We, your Majesty's most dutiful and loyal Subjects, the Lieutenant General and Commander in Chief, in and over all your Majesty's *Leeward Charribbee Islands in America* and the Council and Assembly of your Majesty's Island of *St. Christopher*, do humbly pray your Most Excellent Majesty, that it may be Enacted, and Ordained, And be it, and it is hereby Enacted, by the King's most Excellent Majesty, by and with the Advice and Consent of his Majesty's Lieutenant General and Commander in Chief in and over all his Majesty's *Leeward Charribbee Islands in America*, and the Council and Assembly of the said Island of *St. Christopher*, That, when and so often as the Council and Assembly of this Island shall be legally Summoned or appointed to Meet at any certain Place, each respective Member of both Houses, shall and are hereby Obligated to appear and be ready to proceed to Business, by the Hour of Ten of the Clock in the Morning (Sickness, Absence from the Island, or some extraordinary Accident or Occasion only excepted) which shall be judged and allowed, or disallowed of by the Majority of Votes to which House such absent Member doth belong: And the Person or Persons so adjudged absent by Wilfulness or Neglect, shall for each, and every Offence, forfeit and pay the Sum of Six Pounds, current Money of this Island, to be forthwith paid and deposited into the Hands of the Clerk of each House to be disposed of for such Uses as by the Major part of each respective House shall be agreed upon: And, in case of Refusal, or non Payment, of any such Fines and Forfeitures, of all and every such Delinquents, in Manner as aforesaid, the Marshal shall Distrain for the same, by Warrant under the Hand and Seal of the Person Presiding, for the Time being, at the Council Board, respecting the Member or Members of the Council, and in like Manner, by the Speaker of the Assembly, respecting the Member or Members of that House.

Preamble, Relating Act No. 10.

Members of the Council and Assembly when legally Summoned to Meet at 10 o'Clock, unless prevented by Sickness &c. Cause of absence to be judged by a Majority of the House to which the Member absenting himself shall belong. Penalty £ 6. To be paid to the Clerk, how to be disposed of. How to be levied &c.

II. AND whereas several Persons, who have been duly elected to serve as Assemblymen, have neglected attending to take the Oaths appointed by Law, and their Seats in the Assembly, whereby manifest Inconvenience hath happened to the Public Affairs of this Island, for preventing, therefore, such Inconvenience for the future, and that there may be no Deficiency for want of a due Number of Assemblymen: Be it Enacted, by the Authority aforesaid, That if any Person duly elected to serve as a Representative of this Island, shall neglect

Persons duly elected to serve as Assemblymen, Men and refusing to qualify themselves agreeable to Law shall incur the Penalty as mentioned in Act No. 10.

1771. lect to Attend on the Second Summons which shall be legally Ordered, after such Day of Election, at the Time and Place hereinbefore mentioned, to take the Oaths and his Seat in the Assembly, such neglect shall to all intents and purposes be construed as a Refusal, and the Delinquent or Delinquents shall incur the Penalty imposed by the before recited Act, for Refusal to serve when duly elected, to be recovered by Warrant of Distress under the Hand and Seal of the Governor in Chief, Lieutenant General, or President of this Island, for the Time being to be levied by the Provost Marshal, or his lawful Deputy upon the Goods, and Chattles, of the Offender for the Use of the Public, and to be lodged in the Hands of the Treasurer, and such Persons is hereby declared incapable of serving as a Representative during the Sitting and Continuance of that Assembly.

Penalty how to
be levied and ap-
plied.

Any Person of
sending as afore-
said incapacitat-
ed from serving
in that Assem-
bly.

No Person serv-
ing one Year in
the Assembly
shall be obliged
to serve he n. xt.
Such Person to
Certify his inten-
tion at the Place
of Election.

III. PROVIDED nevertheless, And be it, and it is hereby Enacted, by the Authority aforefaid, That no Person having served One Year shall be obliged to serve in the Assembly of this Island the Year following, nor be liable to the Penalty aforefaid, but shall stand excused for that Year and no longer, he or they intending to be excused Certifying the same at the several Places of Election, any thing hereinbefore contained to the Contrary notwithstanding. Dated in St. Christopher's this Twentieth Day of May, in the Eleventh Year of the Reign of our Sovereign Lord GEORGE the Third, by the Grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, &c. and in the Year of our Lord One Thousand Seven Hundred and Seventy One.

Read and Passed the Assembly this } SAMUEL OKES TAY- { Read and Passed the Council this
Seventh Day of April, 1771. } LOR, Speaker. { Seventeenth Day of April 1771.
STEP. PERDRIAU, JNO. HENRY,
Clerk. of Assembly. D. Secretary.

Passed by the Commander in Chief, the Twentieth Day of May, 1771.

R. H.



LOSACK

Published in the Town of Basseterre, on Tuesday the 21st Day of May, and in the Towns of Old Road, and Sandy Point, on Wednesday the 22^d Day of the same Month.

HENRY BERKELEY,
D. P. Marshal.

Recorded and Examined, this 24th Day of May, 1771.

JOHN HENRY, D. Sec.

No. 211.

Expired.

An Act for Granting an Aid to his Majesty, by a Duty or Tax of Five Shillings, current Money, per Poll, on all Negroes and other Slaves; and the further Duty of Five Pounds, in the Hundred Pounds, on the yearly Value of all Houses, Ware-houses, Shops and Tenements, in the several Towns within the said Island, for Repairing the Forts and Fortifications, and Defraying the other Public Expences of the said Island.

No. 212.

Expired.

An Act to Repeal so much of An Act, intituled, "An Act for raising a Duty of Gun Powder and Small Arms; upon the Tonnage of Vessels trading to and with this Island, and to encourage the Importation of Provisions, Stock, Lumber, and other Things therein mentioned," as is deemed grievous and injurious to the Trade and Commerce of this Island.

No. 213.

Expired.

An Act to continue and amend An Act, intituled, "An Act for the Relief of Debtors, with respect to the Imprisonment of their Persons."

No. 214.

No. 214.

1771.

An Act for the prevention and further punishment of Forgery.

“WHEREAS the Trade and Credit of this Island, and the Property of Individuals Preamble.
 are liable to great Prejudice, by the pernicious and abominable Crime of Forge-
 ry, and it is absolutely necessary for the more effectually preventing thereof to inflict a more
 severe and exemplary Punishment on such Offence than by the Laws of the Land can now
 be done”. Be it therefore Enacted; by the King's most Excellent Majesty, by and with
 the Advice and Consent of his Majesty's Lieutenant General and Commander in Chief, in
 and over all his Majesty's *Leeward Charribbee Islands in America*, and the Council and As-
 sembly of this his Island of *St. Christopher*; and by the Authority of the same, That
 if any Person or Persons, shall from and after the Publication of this Act, falsly make, forge, Persons falsly
 or counterfeit, or cause or procure to be falsly made, forged, or counterfeited, or willingly making, forging,
 act or assist in the false making, forging, and counterfeiting any Deed, Will, Testament, &c. any Deed,
 Bond, Writing Obligatory, Bill of Exchange, Promissory Note for payment of Money, &c. or assisting
 Assignment of any Bond, or Writing Obligatory, Endorsement, or Assignment of any therein.
 Bill of Exchange, or Promissory Note for payment of Money, Letter of Credit for Money
 or Goods, any Certificate by the Register of this Island, or his lawful Deputy, of the En-
 try or Registry of any Deed, will, or Testament in the Register's Office of this Island, or
 any Acquittance or Receipt, either for Money or Goods, with intention to defraud any Or uttering or
 Person whatsoever, or shall Utter or Publish as true any false, forged or counterfeited publishing the
 Deed, Will, Testament, Bond, Writing Obligatory, Bill of Exchange, Promissory Note same, knowing
 for payment of Money, Assignment of any Bond or Writing Obligatory, Endorsement, or it to be false,
 Assignment of Bill of Exchange, or Promissory Note for payment of Money, Letter of Cre-
 dit for Money or Goods, any Certificate of the Register's of this Island, or his lawful De-
 puty of the Entry or Registry of any Deed, Will, or Testament, in the Register's Office of shall be deemed
 this Island, or any Acquittance or Receipt, either for Money or Goods, with intention to guilty of Felony
 defraud any Person, knowing the same to be false, forged, or counterfeited, then every with ut Benefit
 such Person, being thereof lawfully Convicted according to the due course of Law, shall of Clergy.
 be deemed guilty of Felony, and shall suffer Death as a Felon without Benefit of Clergy.

II. PROVIDED always, and it is hereby further Enacted, by the Authority aforesaid, Proviso.
 That no Attainder for any Offence hereby made Felony, shall make or work any Corrup-
 tion of Blood, Loss of Power, or Disheirison of Heirs. Dated in *St. Christopher's* the Third
 Day of *December*, in the Twelfth Year of the Reign of our Sovereign Lord *GEORGE* the Third,
 by the Grace of God of *Great Britain, France, and Ireland*, King, Defender of the Faith,
 and so forth, in the Year of our Lord One Thousand Seven Hundred and Seventy One.

Read and Passed the Assembly this } Sixth Day of November, 1771. } STEP. PERDRIAU, Jun. Clk. Assembly.	SAM. OKES TAY- LOR, Speaker.	{ Read and Passed the Council this Fifth Day of November, 1771. JNO. HENRY, Dep. Secretary.
---	---------------------------------	--

Passed by the Commander in Chief, the Third Day of *December*, One Thousand Seven
 Hundred and Seventy-one.

R. H.  L. S. LOSACK.

Published in the Town of *Basseterre* on Wednesday the 4th Day of *December*, and in the
 Towns of *Old Road*, and *Sandy Point*, on Thursday the 5th Day of the same Month,
 in the Year of our Lord one Thousand Seven Hundred a Seventy-one.

HENRY BERKELEY,
D. P. Marshal.

Recorded and Examined the 6th Day of *December*, Seventeen Hundred and Seventy-one.
 JNO. HENRY,
Dep. Sec.

No. 215.

An Act for establishing a Court of Sessions of the Peace to be held in and for this Island.

Expired.

No. 216.

1772.

No. 216.

Expired.

An Act for settling the Sum of Twelve Hundred Pounds, current Money, for One Year, to be computed from the First Day of February last, and after the expiration of the said Year, the Sum of Eight Hundred Pounds, current Money, per Annum, upon his Excellency Sir Ralph Payne, Knight Companion of the Most Honourable Order of the Bath, Captain General and Governor in Chief, in and over all His Majesty's Leeward Charribbe Islands in America, for the more Honourable Support of him and the Dignity of His Majesty's Government, during the Term therein specified; and for raising the Sum of Twelve Hundred Pounds, current Money, for One Year, by a Duty or Tax of Two Shillings, current Money per Poll, upon all Negroes, and other Slaves within this Island; and a further Sum of Eight Hundred Pounds, current Money, by a Duty or Tax of One Shilling, current Money, per Poll on the said Negroes and other Slaves, for every succeeding Year during the Term therein specified, to be applied to the several Uses and Purposes therein declared and appointed.

No. 217.

An Act for the better securing the Estates and Interests of Orphans; and to oblige Executors to give Security, and to return Inventories and Appraisments into the Ordinary's Office of this Island.

Preamble.

“WHEREAS through the necessity of sending the Youth of this Island to Great Britain for Education, very many have considerably suffered in their Estates, by the Death of their Ancestors during their absence, for want of Inventories being returned into the Ordinary's Office, of the Personal Estate their Ancestors were possessed of at the Time of their Death; And whereas it hath frequently happened, that during the abode of such Youth in Great Britain, (which often continues for Ten or more Years) not only their immediate Ancestors, but the Executors of such Ancestors have Died, whereby their Estates have fallen into the Hands and under the Management of Executors or Administrators to such Executors, who have been Strangers to the First Testators, and no Inventory having been made by the Executors, it has been impossible to discover the Testator's Estate, and such Orphans, at their return to this Island, have found their Estates very much Wasted and Impaired; And whereas it is usual and customary for Merchants in Great Britain to entrust Cargoes of Merchandize with Persons whom they send hither as their Factors for the disposal thereof, and who come to advance their Fortune in this Island, and to Settle and become Inhabitants here, which has brought many People, and been of great Advantage to this Island, but the same having received great Discouragement likewise by the Death of some of the said Factors, who having made their Wills, and their Executors not having returned any Inventories of their Goods, it has been impossible for their Principals in Great Britain to discover the same, or recover the Value thereof, which has tended to the great Discouragement of Trade, and to the general Discredit of this Island: For the Prevention of which, and such like Inconveniences for the future, for the better enforcing the Duties of Executors, as well as promoting the Credit and Reputation of this Island; Be it Enacted By the King's Most Excellent Majesty, by and with the Advice and Consent of the Chief Governor of His Majesty's Leeward Charribbee Islands in America, and the Council and Assembly of Saint Christopher, and by the Authority of the same, that all and every Executor and Executors for the future, when the Will of any Testator is by him or them exhibited to be Proved, shall answer upon Oath, before the Ordinary, or Deputed Ordinary of this Island, to the Value and Circumstances of the Testator's Testamentary Estate, to the best of his or their Knowledge, and shall, at the direction of the Ordinary, or Deputed Ordinary, not only take the Oath of an Executor according to the Laws of England, but give such Security as the Ordinary, or Deputed Ordinary shall direct, in the Secretary's Office of this Island, to return a just Inventory of the Testator's Estate, with an Appraisment thereof upon Oath, within such Time as shall be limited by the Ordinary, or Deputed Ordinary in his Warrant for that Purpose, any Law, Usage or Custom, to the contrary notwithstanding: For every which Oath and Warrant of Appraisment, so to be taken before, and granted by the Ordinary, or Deputed Ordinary for the Time Being, he shall have and be entitled to receive the like Fee as hath been severally and usually Paid for an Oath taken before him, and a Warrant of Appraisment granted by him in Case of Administration to an Intestate.

Executor before Probit of Will, shall answer upon Oath, the Value and circumstances of Testator's Testamentary Estate, and take the Oath of an Executor, and give Security, &c. to return a just Inventory, &c. with an Appraisment upon oath. Ordinary to take the same fees as are received upon granting Letters of Administration.

II. AND whereas several Orphans Estates have been let out to Lease during their Minority, without any Security given for returning or making good the Slaves and Personal Estate so Leased at the Expiration of such Lease or Leases, whereby several Poor Orphans have been undone; For the Prevention, therefore, of such neglects and undue practices for the

future. Be it further Enacted by the Authority aforesaid, That all Guardians, or other Person or Persons who are empowered to Lease out any Orphan's Estate, shall be Obligated to take good and sufficient Security of the Lessee or Lessees, for the making good and returning all such Slaves, and other Personality, as shall be so Leased by them, at the Expiration of such Lease or Leases, and that all such Guardians, or other Person or Persons, who shall for the future Lease out any Orphan's Estate shall annex to the Lease a Schedule of all the Slaves and Personal Estate so Leased; and Record the same in the Register's Office of this Island within Three Months after the Executing such Lease, under the Penalty that all such Lease or Leases so made, which shall not be Recorded within the Time, and in Manner hereinbefore mentioned, and for the due Performance whereof on the Lessees part Security shall have not been given, shall from and after the Expiration of the said Three Months be utterly Void, as if the same had never been Made, any Law, Usage, or Custom to the Contrary thereof in anywise notwithstanding. Dated in St. Christopher, the Twenty-third Day of September, in the Year of our Lord One Thousand Seven Hundred and Seventy-two, and in the Twelfth Year of the Reign of our Sovereign Lord GEORGE the Third, by the Grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, and so forth.

1772.
Guardians Leasing out Orphan's Estates shall take good and sufficient Security for the Slaves, &c. shall annex to the Lease a Schedule with the Names of Slaves, &c. and Record the same within 3 Months, &c. All Leases to be Void without the Ceremonies aforesaid.

Read and passed the Assembly the 18th Day of June, 1772. SAM. OKES TAYLOR, { Read and passed the Council the 10th Day of September, 1772. Speaker, Pro. Tem. }

DAVID KELLY, Pro. Tem. Clerk of the Assembly.

JOHN HENRY, Dep. Sec.

Passed by the Governor in Chief this 23d Day of September, 1772.

RALPH



PAYNE.

Published in the Town of Basseterre on Wednesday the Fourteenth Day of October, and in the Town of Old Road, and Sandy Point, on Thursday the Fifteenth Day of the same Month, in the Year 1772.

HENRY BERKELEY,
D. P. Marshal.

Recorded and Examined the Sixteenth Day of October, 1772.

JNO. HENRY,
Dep. Sec.

No. 218.

1773.

An Act for Granting an Aid to his Majesty, by a Duty or Tax of Six Shillings, current Money, per Poll, on all Negroes and other Slaves; and the further Duty of Six Pounds, in the Hundred Pounds, on the yearly Value of Houses, Ware-houses, Shops and Tenements, in the several Towns within the said Island, for Repairing the Forts and Fortifications, and Defraying the other Public Expences of the said Island.

No. 219.

An Act for Repealing a former Act, intituled "An Act for appointing Henry Wilmouth, Esquire, Agent for the Island of Saint Christopher in Great Britain, in the room of John Sharpe, Esquire, lately Deceased, and for settling a Salary upon him during the Time of his Agency; and for appointing William Payne Georges, Esquire, Agent for the said Island in the room of the said Henry Wilmot, and for settling a proper Salary upon him during the Time of his Agency"

Repealed in 1777, vide No. 229.

No. 220.

An Act to enable the Minister, Church Wardens and Vestry of the Parish of Saint Mary, Cayon, to Exchange the Glebe Lands of the same Parish with Daniel Mathew, of Felix Hall, in the Parish of Kelvedon in the County of Essex and Kingdom of Great Britain, Esquire, for other Lands belonging to the said Daniel Mathew, and situate in the same Parish; and for granting a perpetual Rentcharge to be Issuing out of certain Lands of the said Daniel Mathew, and

L 1

Payable

1773.

Payable to the Minister of the same Parish for the time being, as an Equivalent for the said Exchange.

Most Gracious Sovereign,

“**W**HEREAS it pleased the Almighty God to Visit this Island, on the Thirty-first Day of *August* last, with a most dreadful Hurricane, which, among other Calamities, occasioned thereby, totally threw down and destroyed the Parish Church and Parsonage House and Buildings belonging to the Parish of Saint *Mary, Cayon*, in this Island, whereby the Public Worship and Service of Almighty God, in the same Parish, has been hitherto unavoidably Obstructed; and the Minister of the same Parish has become destitute of a decent and suitable Habitation therein; for the remedying whereof the Parishoners have, at several Meetings, in lawful Vestry, for that purpose held, come to divers Resolutions towards rebuilding the said Parish Church and Buildings, and in particular, that as the Parsonage House, from its Situation on the Glebe Lands of the said Parish, was too much exposed to the Fury and Violence of the Winds, it would be for the Benefit of all Persons interested therein, to Exchange the said Glebe Lands, with *Daniel Mathew*, of *Felix Hall*, in the Parish of *Kelvedon*, in the County of *Essex* and Kingdom of *Great Britain*, Esquire, for other Lands of the said *Daniel Mathew*, in the same Parish, hereinafter particularly Described, and whereon it would be adviseable that the future Parsonage House should be Built?” Now, at the humble Suit of the Reverend *Benjamin William Hutchinson*, Clerk, the present Minister, *Zacharias Bull* and *John Julius*, Church Wardens, and *Richard Hobbs*, *David Weymefs*, *Francis England*, *Nicholas Charles Taylor*, and *William M^r Tair*, the Vestry of the said Parish, and also of the said *Daniel Mathew*, on the behalf of themselves and of the Parishoners of the said Parish: Be it Enacted by the King’s Most Excellent Majesty, by and with the Advice and Consent of the Chief Governor of His Majesty’s *Leeward Chæribbe* Islands in *America*, and the Council and Assembly of this Island of Saint *Christopher*, and by the Authority of the same, That all that Piece or Parcel of Land, situate, lying and being in the said Parish of Saint *Mary, Cayon*, containing by Estimation Five Acres (be the same more or less), Abutting and Bounding to the East with the *Common Road*, to the North, South and West with Lands of the said *Daniel Mathew*, being the Glebe Lands of the said Parish of Saint *Mary, Cayon*, and on some Part whereof the Parsonage House formerly stood, shall from henceforth be, and the same is hereby Vested, and Settled in and upon the said *Daniel Mathew*, his Heirs and Assigns, to the only proper Use and Behoof of the said *Daniel Mathew*, his Heirs and Assigns for ever, Freed and absolutely Discharged from all Incumbrances whatsoever.

The Glebe Lands of the Parish of St. Mary, Cayon, settled upon Daniel Mathew, Esq. and his Heirs for ever.

Three Acres of Land situate, &c. Bounded, &c.

Settled upon the Church Wardens of the Parish,

in Trust for the then Minister & his Successors.

The Stream of Water running thro’ the last mentioned Land reserved for the Use of the said Daniel Mathew, his Heirs and Assigns. Workmen may have free Ingress, &c. to repair or cleanse the Water course.

II. AND be it Enacted by the Authority aforesaid, That all that Piece or Parcel of Land of him the said *Daniel Mathew*, situate, lying and being in the said Parish of Saint *Mary, Cayon*, containing by Estimation Three Acres (be the same more or less), Abutting and Bounded to the East with Lands of *Daniel Mathew*, Esquire, to the West with *Cayon River*, to the North with the upper high *Road* leading round the Island and the Lands of *Daniel Mathew*, Esquire, and to the South with the Lands of *Daniel Mathew*, Esquire, or howsoever the same is Abutted and Bounded, and which said Piece or Parcel of Land was late in the Tenure or Occupation of *William Davis*, Deceased, and now of the said *Daniel Mathew*, shall from henceforth be, and the same is hereby Vested and Settled in and upon the said *Zacharias Bull*, and *John Julius*, and their Heirs and Successors, Church Wardens of the said Parish of Saint *Mary, Cayon*, for the time being, absolutely for ever, Freed and Discharged of and from all Incumbrances whatsoever, UPON TRUST nevertheless, and to and for the Uses hereinafter mentioned (that is to Say) to the Use of the said *Benjamin William Hutchinson*, and his Assigns, for and during so long a Time as he the said *Benjamin William Hutchinson* shall continue to be the Minister or Incumbent of the said Parish of Saint *Mary, Cayon*, and from and immediately after the said *Benjamin William Hutchinson* shall by Death, or otherwise, so cease to be the Minister or Incumbent of the said Parish, to the Use of each and every the succeeding Minister or Incumbent of the said Parish, and their several and respective Assigns, during the Term of their several respective Incumbancy as aforesaid.

III. PROVIDED always, And it is hereby Declared and Enacted, That the Water-course, or Stream of Water, now running through the last mentioned Piece or Parcel of Land, shall be and is hereby reserved for the Use of the said *Daniel Mathew*, his Heirs and Assigns for ever; and that he and they, or his or their Agents or Workmen, shall and may, at all Times hereafter, have free Ingress, Egress, and Regress through and out of said Piece or Parcel of Land, for the reparation or cleansing the said Water-course, as he or they shall see Occasion.

IV.

IV. PROVIDED also, That the Incumbent of the said Parish for the time being shall and may have the Benefit of the said Stream of Water for the Use of himself and Family, such Incumbent not Diverting or causing the same to be Diverted in any Manner whatever.

1773.

V. " AND whereas the Lands so given in exchange by the said *Daniel Mathew* for the " aforesaid *Glebe Lands*, are computed to fall Short of the Quantity of the said *Glebe Lands* " by Two Acres, or thereabouts, and it is but just and reasonable that a proper Equiva- " lent should be given and allowed by the said *Daniel Mathew* to the Minister of the said " Parish for the time being, in respect thereof." Be it Enacted by the Authority aforesaid, And it is hereby also Enacted, That the said *Daniel Mathew*, his Heirs, Executors, Ad- ministrators, or Assigns shall once in every Year hereafter, for ever, Pay into the Hands of the Church-wardens of the said Parish of Saint *Mary, Cayon*, for the time being, the full and entire Rentcharge or Sum of Thirty-two Pounds of good and lawful Money of *Great Britain*, which said yearly Sum of Thirty-two Pounds, shall be by the Church-wardens for the time being paid to, and to the Use of the Minister or Incumbent of the said Parish for the time being; and that the Receipt of the said Church-wardens shall be, and the same is hereby declared to be a full Discharge and Acquittance to the said *Daniel Mathew*, his Heirs, Executors, Administrators and Assigns for the same, the first Payment of the said Rentcharge to begin and be made at the end of Twelve Kalendar Months next after the Date of this Act.

Incumbent to have the use of the Water but not to divert its course.

Daniel Mathew, Esq. and his Heirs forever to pay Yearly to the Church Wardens £. 32.

Sterling, to the Use of the Minister for the time being.

Church Wardens Receipt a sufficient discharge.

VI. PROVIDED always; and is hereby Declared and Enacted, by the Authority afore- said, That if the said yearly Rentcharge, or Sum of Thirty-two Pounds shall be behind, unpaid, or in Arrear by the space of Ten Days next over or after any of the Days whereon the same ought to be paid as aforesaid; then it shall and may be lawful to and for the Church-wardens of the said Parish of Saint *Mary, Cayon*, for the time being, to enter into, and upon all, and every the Lands, Tenements, and Hereditaments, now of the said *Daniel Mathew*, situate in the said Parish of Saint *Mary, Cayon*, into whose Hands or Pos- sessions soever the same shall hereafter come, or any Part thereof, and thereto, distrain and the distress, and distresses then and there found to load, drive, carry away and impound, and the same in Pound to detain and keep; or otherwise to Dispose of the same as the Law shall allow; until the said Rentcharge, or Sum of Thirty-two Pounds, and all Arrears thereof, and all Costs and Damages to be sustained by the Reason of the non-payment thereof, shall be fully paid and satisfied: And also, that in Case the said Rentcharge, or yearly Sum of Thirty-two Pounds shall be behind or unpaid by the space of Twenty Days next over or after the Day whereon the same ought to be paid as aforesaid; (although no De- mand be actually made thereof) that then, and in that Case, it shall and may be lawful to, and for the Church-wardens of the said Parish, for the time being, into and upon the be- forementioned Lands, Tenements, Hereditaments, and Premises, or any Part or Parts thereof to enter, and to have, hold, possess, and enjoy the same, and to take and receive the Rents, Issues, Produce, and Profits thereof to the Use aforesaid, until the said Rent- charge, or Sum of Thirty-two Pounds, and all Arrears thereof, and all Costs, Expences, and Damages sustained by the non-payment thereof shall, by public Sale of such Produce, or otherwise, be fully paid and satisfied.

If the Rent- charge be unpaid Ten Days after any Day of Pay- ment,

Church War- dens may enter upon any of the Lands of the said Daniel Ma- thew, and Dis- train for the said Rent-charge, &c.

Until the Sum of £. 32 Costs &c. are Paid.

If the said Rent- charge be un- paid 20 Days af- ter the Day of Payment,

Church War- dens may enter the Lands, &c. of the said Da- niel Mathew, and hold the same, and take the profits there- of until the said Sum of £. 32. and Costs, &c. are paid.

VII. PROVIDED also; and, it is hereby Enacted and Declared, by the Authority afore- said, That when the present or any future Minister of the said Parish shall, by Promotion or Death cease to be such Minister; then the said Minister, or his Executors or Administra- tors, as the Case shall be, shall be entitled to have and receive a proportionable Part of the said yearly Sum of Thirty-two Pounds; up to the Time when he shall have so ceased to be Minister of the said Parish as aforesaid.

Produce may be sold at Public Sale. Minister or his Executors in Case of Proma- tion or Death to receive a pro- portional Part of the said yearly Sum.

VIII. AND be it Enacted, by the Authority aforesaid, That this Act shall be deemed and taken, and it is hereby declared to be, a Public Act, and as such shall be judically taken Notice of by the Judges in all Courts of Justice within this Island, without the same being Specially Pleaded to.

Declared to be a Public Act.

IX. PROVIDED always, That this Act shall not be in Force until His Majesty's Royal Approbation and Allowance thereof shall be duly Had and Signified, any thing hereinbe- fore contained to the contrary thereof notwithstanding. Dated in *Antigua*, this Thirteenth Day of *September*, in the Year of our Lord One Thousand Seven Hundred and Seventy- three, and in the Thirteenth Year of our Reign.

Suspended till his Majesty's Pleasure be known, his Ma- jesty's Assent ob- tained as below.

Read and Passed the Assembly } J O H N F A H I E, { Read and Passed the Council
this 28th Day of July, 1773. } Speaker. { the 28th Day of July, 1773.

JNO. HENRY,
D. Secretary.

STEP. PERDRIAU, Jun.
Clerk. of Assembly.

Passed by the Governor in Chief, the Thirteenth Day of *September*, 1773.

R A L P H P A Y N E.



Published

1773.

Published in the Town of *Basseterre*, on Saturday the Twenty-fifth Day of *September*, and in the Town of *Old Road*; and *Sandy Point*, on Monday the Twenty-seventh Day of the same Month, in the Year of our Lord One Thousand Seven Hundred and Seventy-three.

HENRY BERKELEY,
D. P. Marshal.

Recorded and Examined, this 28th Day of *September*, 1773.

JOHN HENRY, D. Sec.

Confirmed by His Majesty in Council the 6th Day of *July*, 1774.

Published in the Town of *Basseterre* on Thursday the 15th Day of *December*, and in the Town of *Old Road* and *Sandy Point* on Friday the 16th Day of the same Month, in the Year of our Lord 1774.

HENRY BERKELEY,
D. P. Marshal.

No. 221.

An Act for the rendering Justices of the Peace more safe in the Execution of their Office, and for indemnifying Constables and others acting in obedience to their Warrant.

Preamble.

No Writ or Process to be Sued out against Justice of the Peace for any thing done, &c. until Notice of such intended Writ, &c. shall have been given, One Kalendar Month, at least, before such Writ be Sued out. What Notice it is to contain and express. Attorney's Name to be Endorsed on such Notice, of the Place of his Abode, 14s. to be received for such Notice. Justice of Peace may Tender Amends within one Month after such Notice to Party complaining, &c. If it is not accepted, may Plead such Tender in Bar, together with Not Guilty or any other Plea with leave of the Court. If the Jury find the Amends Tendered sufficient, Verdict to be for Defendant, in which Case, or in Case of a Non-suit, &c. &c. Defendant shall have treble Costs. If no Amends were Tendered, or if they were not sufficient, Verdict to be for Plaintiff, with Cost, &c.

“ WHEREAS Justices of the Peace are discouraged in the Execution of their Office by vexatious Actions brought against them, for and by Reason of small and involuntary Errors in their Proceedings: And whereas it is Necessary that they should be (as far as is consistent with Justice and the Safety and Liberty of the Subjects over whom their Authority extends) rendered safe in the Execution of the said Office and Trust: And whereas it is also necessary that the Subjects should be protected from all wilful and oppressive Abuse of the several Laws and Statutes committed to the Care and Execution of the said Justice of the Peace: We, therefore, your Majesty's most loyal and dutiful Subjects, the Governor and Commander in Chief in and over all your Majesty's *Leeward Charribbee Islands in America*, and the Council and Assembly of this your Majesty's Island of *Saint Christopher*, humbly Pray your Most Excellent Majesty that it may be Enacted and Ordained. And be it and it is hereby Enacted, by the King's Most Excellent Majesty, by and with the Advice and Consent of the Governor in Chief, in and over all his Majesty's said *Leeward Charribbee Islands in America*, and the Council and Assembly of the said Island of *Saint Christopher*, and by the Authority of the same, That from and after the Publication of this Act no Writ or other Process shall be Sued out against, nor any Copy of any Process at the Suit of any Subject shall be Served on any Justice of the Peace for any Thing by him done in the execution of his Office, until Notice in Writing of such intended Writ or Process shall have been delivered to him, or left at the usual Place of Abode of such Justice, by the Attorney or Agent of the Party who intends to Sue or cause the same to be Sued out, or Served at least one Kalendar Month before the Suing out or Serving the same, in which Notice shall be clearly and explicitly contained the Cause of Action which such Party hath, or claimeth to have against such Justice of the Peace, on the Back of which Notice the Name of such Attorney or Agent shall be Endorsed, together with the Place of his Abode, who shall be entitled to have the Fee of Fourteen Shillings, current Money of the said Island for the preparing and serving the said Notice, and no more.

II. AND be it further Enacted, by the Authority aforesaid, That it shall and may be lawful to and for such Justice of the Peace, at any Time within One Kalendar Month after such Notice given as aforesaid, to Tender Amends to the Party complaining, or to his, or her Agent, or Attorney, and in case the same is not Accepted to plead such Tender in Bar to any Action to be brought against him grounded on such Writ or Process, together with the Plea of Not Guilty, and any other Plea, with the leave of the Court; and if upon Issue joined thereon, the Jury shall find the Amends so Tendered to have been Sufficient, then they shall give a Verdict for the Defendant; and in such Case, or in Case the Plaintiff shall become Non-suit, or shall Discontinue his or her Action, or in Case Judgment shall be given for such Defendant or Defendants, upon Demurrer, such Justice shall be entitled to Treble Costs; and if upon Issue so Joined the Jury shall find that no amends were tendered, or that the same were not sufficient, and also against the Defendant or Defendants, or such other Plea or Pleas, then they shall give a Verdict for the Plaintiff, and such Damages as they shall think proper, which he or she shall recover together with his or her Costs of Suit.

III. AND be it further Enacted, by the Authority aforesaid, That in Case such Justice shall neglect to Tender any Amends, or shall have Tendered sufficient Amends before the Action

Action brought, it shall and may be lawful for him, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he shall see fit; whereupon such Proceedings, Orders, and Judgments shall be had, made, and given, in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

IV. AND be it further Enacted, by the Authority aforesaid, That no such Plaintiffs shall recover any Verdict against such Justice in any Case where the Action shall be grounded on any Act of the Defendant as Justice of the Peace; unless it is proved on the Trial of such Action, that such Notice was given as aforesaid; but in Default thereof such Justice shall recover a Verdict and Costs as aforesaid.

V. AND be it further Enacted, by the Authority aforesaid, That no Evidence shall be permitted to be given by the Plaintiff on the Trial of any such Action as aforesaid, of any Cause of Action, except such as is contained in the Notice hereby directed to be given.

VI. AND be it further Enacted, by the Authority aforesaid, That if the Plaintiff or Plaintiffs in any such Action shall refuse to accept such Money so paid into Court in full Satisfaction or Amends for the Injury or Damage he, she, or they may have sustained from such Justice, but will persist to go on to Issue and Trial upon the Insufficiency of such Amends, or such Sum of Money so paid into Court, then the Court shall direct the Jury to consider the same particularly: And if the Jury shall be of Opinion that such Amends, or such Sum of Money so paid into Court, were or was a sufficient Recompence or Compensation for the Injury or Damages sustained by such Plaintiff or Plaintiffs, then the Jury shall find a Verdict for the Defendant as aforesaid; and the Court shall in such Case award the Defendant Treble Costs, to be paid him by such Plaintiff or Plaintiffs.

VII. AND be it further Enacted, by the Authority aforesaid, That from and after the Publication of this Act, no Action shall be brought against any Constable or other Officer, or against any other Person or Persons acting by his Order, and in his Aid, for any Thing done in Obedience to any Warrant under the Hand and Seal of any Justice of the Peace, until Demand hath been made, or left at the usual Place of his Abode, by the Party or Parties intending to bring such Action, or by his, her, or their Attorney or Agent, in Writing, signed by the Parties demanding the same, of the Perusal and Copy of such Warrant, and the same hath been refused or neglected for the Space of Six Days after such Demand: And in Case after such Demand, and Compliance therewith, by shewing the said Warrant to, and permitting a Copy to be taken thereof, by the Party demanding the same, any Action shall be brought against such Constable or other Officer, or against such Person or Persons acting in his Aid, for any such Cause as aforesaid, without making the Justice or Justices, who signed and sealed the said Warrant, Defendant or Defendants, that on producing and proving such Warrant at the Trial of such Action, the Jury shall give their Verdict for the Defendant or Defendants, notwithstanding any Defect of Jurisdiction in such Justice or Justices: And if such Action be brought jointly against such Justice or Justices, and also against such Constable or other Officer, or Person or Persons acting in his or their Aid as aforesaid, then on Proof of such Warrant, the Jury shall find for such Constable or other Officer, and for such Person or Persons so acting as aforesaid, notwithstanding such Defect of Jurisdiction as aforesaid: And if the Verdict shall be given against the Justice or Justices aforesaid, that in such Case the Plaintiff or Plaintiffs shall recover his or their Costs against him or them, to be taxed in the usual Manner by the proper Officer.

VIII. PROVIDED always, That where the Plaintiff in any such Action against any Justice of the Peace shall obtain a Verdict, in Case the Judges before whom the Cause shall be tried, shall in open Court certify on the Back of the Record, that the Injury for which such Action was brought was wilfully and maliciously committed, the Plaintiff shall be intitled to have and receive Treble Costs of Suit, to be paid him by the Defendant.

IX. PROVIDED also, and be it Enacted, by the Authority aforesaid, That no Action shall be brought against any Justice of the Peace for any Thing done in the Execution of his Office, or against any Constable or other Officer, or Person acting as aforesaid, unless commenced within Six Calendar Months after the Act committed. Dated in this

Day of in the Fourteenth Year of our Reign of our Sovereign Lord GEORGE the Third, by the Grace of GOD, of Great-Britain, France, and Ireland, King, Defender of the Faith, and so forth, and in the Year of our Lord One thousand seven hundred and seventy three.

1773.
Justice may pay the Money tendered for amends into Court before Issue joined, or so much as he may think sufficient. Plaintiff shall not recover Verdict against Justice of Peace, for any Thing done as a Justice, unless Proof shall be made that Notice was given: In default thereof Verdict to be for Defendant.
No Evidence to be given by Plaintiff of any Cause of Action unless the same Cause was mentioned in Notice. If Plaintiff refuses to accept the Sum paid into Court in full Satisfaction, but goes on to Issue and Trial, the Court are to direct the Jury to consider the same and if they are of opinion that the Sum is sufficient they are to find a Verdict for the Defendant.
Court to award Treble Costs. No Action to be brought against a Constable, &c. until Demand made of the Perusal & a Copy of the Warrant under which he acted, and the same hath been refused for 6 days after such demand. In Case of Demand and Compliance by the Constable. If any Action be brought against Constable, &c. without making the Justice who signed the Warrant a Defendant on proof of such Warrant at the trial, verdict shall be for the Defendant: If Action be brought against a Justice & Constable, on proof of the Warrant at the Trial, Verdict shall be for Constable &c. If Verdict be against Justice, Plaintiff shall recover his Costs. If Judges shall certify, after Verdict against a Justice, that the Injury was wilful, &c. Plaintiff shall have Treble Costs.
Actions to be commenced within 6 Calendar Months after Cause of Action.

Read and Passed the Assembly }
this 28th Day of July, 1773. }

JOHN FAHIE,
Speaker.

{ Read and Passed the Council
this 25th Day of Oct. 1773.

STEP. PERDRIAU, Jun. Clk. Assen.

JNO. HENRY, D. Sec.

R A L P H



P A Y N E.

M m

Published

1774

Published in the Town of *Basseterre*, on Tuesday the Eleventh Day of *January*, and in the Town of *Old-Road*, and *Sandy Point*, on Wednesday the Twelfth Day of the same Month, in the Year of our Lord One Thousand Seven Hundred and Seventy-four.

HENRY BERKELEY,
D. P. Marshal.

Recorded and Examined, this 14th Day of *January*, 1774.

JOHN HENRY, D. Sec.

1775

No. 222.

Expired.

An Act for raising a Duty of Gun Powder upon the Tonnage of Vessels trading to and with this Island, and encouraging the Importation of Stock, Lumber, and other Things thereinmentioned.

1776

No. 223.

Expired.

An Act to amend an Act, intituled, An Act for raising a Duty of Gun Powder upon the Tonnage of Vessels trading to and with this Island, and to encourage the Importation of Provisions, Stock, Lumber, and other Things thereinmentioned.

No. 224.

Expired.

An Act for levying and raising a Public Tax in this Island, to defray the Public Expences thereof.

No. 225.

An Act to prevent absconding fugitive Debtors, suing for their Debts by Attornies, or assigning over their Effects to defraud their just Creditors.

Preamble.

“ WHEREAS divers indebted Persons have, to the great Prejudice of their Creditors, fled from this Island, and have since sought to recover by their respective Attornies, what is any Way owing to them, in Order fraudulently to convert the same to their own Use, to the great Injury of their respective Creditors: And whereas great Frauds have happened by absconding fugitive Debtors making over before they leave the Island, all their Estate and Effects, under Covin, to Persons to whom they are in nowise indebted; whereby their just Creditors are greatly defrauded and injured;” For preventing such Frauds for the future, and for the securing of all fair *bona Fide* Creditors of such absconding fugitive Debtors, We, Your Majesty’s most dutiful and loyal Subjects, the Commander in Chief in and over all his Majesty’s Leeward *Charribbee* Islands in *America*, and the Council and Assembly of the Island of *Saint Christopher*, Do pray Your most Excellent Majesty that it may be Enacted; And be it, and it is hereby Enacted, by the King’s most Excellent Majesty, by and with the Advice and Consent of the said Commander in Chief in and over all His Majesty’s Leeward *Charribbee* Islands in *America*, and the Council and Assembly of the said Island of *Saint Christopher*, and by the Authority of the same, That no Person or Persons whatsoever, who shall hereafter depart this Island, without publishing their respective Names, or taking out their respective Tickets, or giving Bond according to the Rules and Customs thereof, shall after the Publication of this Act, sue and recover in any of the Courts of this Island, any Debts due unto them by Bills, Bonds, Specialties, Accounts, or otherwise, by Virtue of any Letter of Attorney, or Assignment, except the Attorney or Attornies, or Assigns suing for such Debt or Debts, shall give sufficient Security into such Court or Courts, to be answerable and make Satisfaction to the Creditor or Creditors of the said Fugitive or Fugitives; for whatever Sums of Money such Attorney or Attornies, or Assigns, shall receive or recover, by Virtue of such Power of Attorney or Assignment from such Fugitive or Fugitives as aforesaid.

II. AND be it further Enacted, by the Authority aforesaid, That every Person to whom any

No Person leaving the Island, without publishing his Name, or taking out a Ticket, or giving Bond in the Secretary’s Office, shall recover any Debts, by Letter of Attorney or Assignment, except the Attorney or Assigns shall give Security into the Court to make Satisfaction to the Creditors of the Fugitive Debtor, for whatever Sums they shall receive.

The Assignees of a fugitive indebted Person

any fugitive indebted Person shall make any Assignment of Lands, Houses, Negroes, Horses, Cattle, Mules, Goods, Wares, Merchandize, or other Effects whatever, or of Bills, Bonds, Specialties, Accounts, or otherwise, shall be obliged on Application of any Three of the Creditors of such absconding fugitive Debtor or Debtors, to any one of the Justices of His Majesty's Court of King's Bench and Common Pleas in this Island, before whom such Person so appointed as aforesaid shall be summoned, to declare on Oath that the Assignment or Sale so made as aforesaid, is for a just, legal, and true Debt, due to him from such fugitive Debtor or Debtors, and not made under Covin, to defraud the just Creditors of such fugitive Debtor or Debtors: And in Case such Person shall refuse, on such Application and Summons as aforesaid, to make such Affidavit, the said Person shall be deprived of all the Benefit arising or to arise from such Sale or Assignment; and in such Case the said Sale or Assignment is hereby declared void and null to all Intents and Purposes.

1776.
obliged on Application of 3 of his Creditors, to appear before a Judge, to declare on Oath, that the Assignment, &c. is for a just Debt, and not made to defraud Creditors.

Upon Refusal to take such Oath, such Assignment declared null & void.

III. AND be it further Enacted, by the Authority aforesaid, That if any Person or Persons whatsoever, shall be sued or molested for any Thing done by Virtue of this Act, he or they may plead the General Issue, and give this Act in Evidence in such Suit; And if the Plaintiff in such Suit be nonsuited or discontinue his Action, or Verdict be found against him, or Judgment be awarded against him upon Demurrer, in each and every of the said Cases, such Plaintiff shall pay Treble Costs of Suit.

Any Person sued, &c. may plead the General Issue.

Treble Costs.

IV. AND be it further Enacted, by the Authority aforesaid, That this Act shall be deemed a General Act, and all Judges, Justices, and Juries, are to take Notice thereof accordingly. Dated in Saint Christopher's, this Fourth Day of May, in the Sixteenth Year of the Reign of our Sovereign Lord GEORGE the Third, by the Grace of GOD, of Great-Britain, France, and Ireland, King, Defender of the Faith, and so forth; and in the Year of our Lord One thousand seven hundred and seventy-six.

General Act.

Read and passed the Assembly, this } WILL. LESLIE HA- { Read and passed the Council this
17th Day of April, 1776. } MILTON, Speaker. { 1st Day of May, 1776.

STEP. PERDRIAU, Jun. Clerk of Assen.

JOHN HENRY, Dep. Sec.

Passed by the Commander in Chief this 4th Day of May, 1776.

CRAISTER



GREATHEED.

Published in the Town of Old Road, Sandy Point, and Basseterre, on Monday the Sixth Day of May, in the Year of our Lord 1776.

HENRY BERKELEY, D. P. Marshal.

Recorded and Examined this Sixth Day of May, 1776.

JNO. HENRY, Dep. Sec.

No. 226.

An Act for establishing a Militia in this Island, and for ordering and regulating the same.

Expired

No. 227.

An Act to prevent Persons from concealing and embezzling the Goods and Commodities of the Sufferers, in Consequence of the late Fire in the Town of Basseterre, and from concealing or embezzling the Goods and Commodities of the Sufferers, by any future public Calamity in this Island.

“WHEREAS many of the Goods and Commodities of the Sufferers by the late Fire, which were saved from being burnt or destroyed, have been concealed and embezzled, to the great Detriment of the said Sufferers; For the better preventing any Persons from concealing and embezzling the said Goods and Commodities, and for securing the Property of the Sufferers, by any future public Calamity in this Island,” We, Your Majesty's most dutiful and loyal Subjects, the Commander in Chief of all Your Majesty's Leeward Charribbee Islands in America, and the Council and Assembly of Your Majesty's Island of Saint Christopher, do pray your Most Excellent Majesty that it may be Enacted; And be it, and it is hereby Enacted, by the King's Most Excellent Majesty, by and with the Advice and Consent of the said Commander in Chief, and the Council and Assembly of the said Island, and by the Authority of the same, That in case any White Person, Free

If any White or Free Person shall conceal or embezzle any Goods

Mulatto

1776.

Sec. belonging to the Sufferers in the late Fire, or in any future Calamity in this Island; Offenders upon Conviction, before 2 Justices of Peace, shall restore the Goods, &c. or pay the full Value of them to the Owner, at his option, and shall forfeit double the Value of them, to be disposed of one half to the Informer, the other half to the Church Wardens

& shall be committed to Gaol, not exceeding 30 Days: If Offender refuses to comply with the Judgment of the Justices, they are to issue a Warrant of Distress, &c.

If any White or Free Person shall be convicted of having bought any of the Goods &c. before mentioned, from any Slave, knowing the same to be stolen, to forfeit not exceeding 100l. for each offence. How to be recovered.

Penalty how disposed of.

Persons restoring the Goods, &c. embezzled at the late Fire, within Ten Days after the Publication of this Act, exempted from the Penalties hereby inflicted.

Mulatto, or Free Negro, shall be found wilfully concealing or embezzling, any of the Goods or Commodities, of what nature or kind soever, belonging to the Sufferers in the late Fire, or who shall wilfully conceal, or embezzle the Property, of what nature or kind soever, of the Sufferers by any future public Calamity in this Island, such Person or Persons so offending, and who shall be thereof duly convicted, by the Oaths of any Two credible Witnesses, before any Two Justices of the Peace for this Island, shall by such Justices be ordered and adjudged forthwith to restore to the Owner or Owners thereof, all such Goods or Commodities, so proved to have been concealed or embezzled by such Person or Persons, or be condemned to forfeit and pay to such Owner or Owners the full real Value of all such Goods or Commodities, at the Option of such Owner or Owners, and shall be further adjudged and condemned to forfeit and pay double the Value of such Goods or Commodities; which further Forfeiture shall go and be paid, the one Half thereof to the Person who shall give Information of any such Offender or Offenders, and the other Half Part thereof to the Church-wardens of the Parish, where such Offence shall have been committed, for the Use and Benefit of the Poor of such said Parish, and shall moreover be committed, by Warrant under the Hands and Seals of such Justices, to the common Gaol of this Island, not to exceed the Space of Thirty Days; and in Case of Refusal by any Offender or Offenders so convicted as aforesaid, to comply with the Adjudication of such Justices so made as aforesaid, such Justices are hereby required and directed, to issue a Warrant under their Hands and Seals, directed to the Provost Marshal, or his lawful Deputy, commanding him to levy of the Goods and Chattels of any such Offender or Offenders, sufficient to satisfy all such Sum and Sums of Money, so adjudged to be forfeited and paid as aforesaid.


II. AND be it further Enacted, by the Authority aforesaid, That if any White Person, Free Mulatto, or Free Negro, shall be convicted, by the Oath of One or more credible Witnesses, of having purchased any of the Goods and Commodities hereinbefore mentioned, from any Negro or other Slave, before any one of his Majesty's Justices of the Peace in this Island, he, she, or they knowing the same to be stolen, such Person or Persons so offending as aforesaid, shall forfeit and pay for each Offence, any Sum not exceeding One Hundred Pounds current Money of this Island, to be recovered by Warrant or Warrants, under the Hand and Seal of any Justice of the Peace of this Island, directed to the Provost Marshal of this Island, or his lawful Deputy, commanding him to levy on and sell the Goods and Chattels of such Offender or Offenders, within Six Days after such Levy shall have been made, he rendering the Overplus (if any) to the Person or Persons on whom such Levy shall have been made, and for Want of sufficient Goods and Chattels whereon to levy, the Offender or Offenders, shall be committed to the common Gaol of this Island, there to remain for any Time not exceeding the Space of Three Months; one Half of the Money so recovered, to go to the Person who shall give Information of the same, and the other Half to the Poor of the Parish where such Goods and Commodities as aforesaid, shall have been sold, by such Negro or other Slave.

III. PROVIDED always, And be it further Enacted, by the Authority aforesaid, That none of the Person or Persons hereinbefore mentioned, who shall within Ten Days after the Publication of this Act, restore to the Owner or Owners of all such Goods and Commodities, belonging to any Sufferer or Sufferers by the late Fire, and which shall have come to their Hands or Possession, or which may have been concealed or embezzled by them or any of them, shall be liable to any of the Pains and Penalties hereby inflicted, any Thing hereinbefore contained to the contrary thereof in any wise notwithstanding.

DATED in Saint Christopher, the Twenty-seventh Day of September, in the Sixteenth Year of the Reign of our Sovereign Lord GEORGE the Third, by the Grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, and so forth, and in the Year of our Lord One Thousand Seven Hundred and Seventy-six.

Read and passed the Assembly, this 25th Day of September, 1776. } WILL. LESLIE HA- } Read and passed the Council, this 25th Day of September, 1776.
STEPH. PERDRIAU, Jun. Clerk of Assen. } MILTON, Speaker. } JOHN HENRY, Dep. Sec.

Passed by the Commander in Chief the Twenty-seventh Day of September, 1776.

CRAISTER  GREATH EED.

Published in the Town of Basseterre, on Friday the Twenty-seventh Day of September, and in the Towns of Old Road and Sandy Point, on Saturday the Twenty-eighth Day of the same Month, in the Year of our Lord 1776.

HENRY BERKELEY, D. P. Marshal.

Recorded and Examined the 30th Day of September, 1776.

JNO. HENRY, Dep. Sec.

No.

No. 228.

1777.

An Act for raising and settling the Sum of One Thousand Pounds, current Money, per Annum, upon his Excellency WILLIAM MATHEW BURT, Captain General and Governor in Chief, in and over all His Majesty's Leeward Charribbee Islands in America, for the more honourable Support of him, and the Dignity of his Majesty's Government, during the Term therein specified, by a Duty or Tax of One Shilling, current Money, per Poll, upon all Negroes and other Slaves within this Island.

No. 229.

An Act to repeal Part of an Act, made in the Thirteenth Year of the Reign of His Majesty King GEORGE the Third, intituled, An Act for repealing a former Act, intituled, An Act for appointing Henry Wilmot, Esquire, Agent for the Island of Saint Christopher, in Great Britain, in the Room of John Sharpe, Esquire, lately deceased, and for settling a Salary upon him during his Agency; and for appointing William Payne Georges, Esquire, Agent for the said Island, in the Room of the said Henry Wilmot, and for settling a proper Salary upon him during the Time of his Agency.

No. 230.

An Act for the Relief of James Mathews, an Insolvent Debtor.

Private.

No. 231.

A Supplementary Act to an Act, intituled, "An Act for raising and settling the Sum of One Thousand Pounds, current Money, per Annum, upon his Excellency WILLIAM MATHEW BURT, Captain General and Governor in Chief in and over all His Majesty's Leeward Charribbee Islands in America, for the more honourable Support of him, and the Dignity of His Majesty's Government, during the Term therein specified, by a Duty or Tax of One Shilling, current Money, per Poll on all Negroes and other Slaves within this Island;" and for altering and amending the same.

No. 232.

An Act to alter and amend an Act, intituled, "An Act for the more effectual cleaning and amending the Highways in this Island, and to repeal an Act, intituled, An Act for repairing Her Majesty's Highways."

WHEREAS in and by a Clause in an Act passed in the Thirteenth Year of his late Majesty's Reign, intituled, "An Act for the more effectual cleaning and amending the Highways in this Island, and to repeal an Act, intituled, "An Act for repairing her Majesty's Highways," it is directed, "That every Person who shall be summoned to send a Proportion of their Slaves to work on the Highways, shall attend with his or their Slaves in Person, or else send some other White Person to take Care of his or their Slaves, and assist in cleaning and amending the Highways, from Day to Day, until discharged by the Way Wardens, or one of them:" And whereas in and by a Proviso in the said Act, it is further directed, "That any Person who is not Owner of more than Four Slaves, shall be obliged to attend in Person on the Highways, under the Penalty of Six Shillings, current Money, for each Day's Absence:" And whereas it has been found extremely inconvenient, and productive of great Confusion, for the Merchants, Traders, and other Inhabitants, residing in the several Towns in this Island, to be compelled to attend in Person, and assist in cleaning and amending the Highways as aforesaid: For preventing such Inconvenience and Confusion for the future, We, Your Majesty's most dutiful and loyal Subjects, the Governor in Chief of all Your Majesty's Leeward Charribbee Islands in America, and the Council and Assembly of the Island of Saint Christopher, do pray your

Preamble, reciting Clauses in Act No. 111.

Recital of the 8th Sec. of Act No. 111.

Recital of the 10th Sec. of Act No. 111.

1777.

No Merchant, Trader, or Inhabitant of a Town obliged to attend in Person, or to send any White Person to assist in mending the Highways.

Persons residing in Towns owning &c. not less than 4, nor more than 8 Slaves, shall send one of them to the Highways.

In Case of Neglect, shall forfeit 3s. for every Day's Absence of such Slave.

Recital of the 11th Sec. of Act No. 111.

Way Wardens to return Defaults within 4 Days;

In Case of Error in the Return, Way Wardens to amend it, and to make a fresh Return in 3 Days after Error discovered.

Not to be in force until the Royal Assent.

most Excellent Majesty, that it may be Enacted; And be it, and it is hereby Enacted, by the King's most Excellent Majesty, by and with the Advice and Consent of the Governor in Chief of all His Majesty's Leeward *Charribbee* Islands in *America*, and Council and Assembly of the said Island of Saint *Christopher*, and by the Authority of the same, That from and after the Publication of this Act, no Merchant, Trader, or other Inhabitant, residing in the several Towns of *Basseterre*, *Old Road*, and *Sandy Point*, in this Island, shall be obliged and compelled to attend in Person and assist, or to send any other White Person, to attend and assist, in cleaning and amending the Highways, at any Time hereafter, any Thing in the said before-recited Act contained to the contrary in any wise notwithstanding.

II. PROVIDED always, and it is hereby further Enacted, by the Authority aforesaid, That every Person residing in such Town as aforesaid, who shall be Owner, Renter, or Possessor of any Number of Slaves, being not less than four, nor more than eight Slaves, shall hereafter be compelled to send one of such Slaves, to work on the Highways, as often as such Person or Persons shall be summoned by the Way Wardens, according to the Directions of the before-recited Act; and in Case such Person or Persons shall neglect to send such Slave or Slaves, when duly summoned, to continue on the Highways, until discharged by the said Way Wardens, such Offender or Offenders shall forfeit the Sum of Three Shillings, current Money of this Island, for every Day's Absence of such Slave as aforesaid, to be recovered in like Manner as in such Case is directed by the before-recited Act.

III. And whereas, the Time limited in the Act aforesaid, intituled, "An Act for the more effectual cleaning and amending the Highways in this Island, and to repeal an Act, intituled, An Act for repairing her Majesty's Highways, for the Way Wardens to return under their Hands, unto the Governor, Lieutenant Governor, or President of the Council for the Time being, a just and true List of all the Defaulters, within their respective Parishes, and of their particular Defaults, hath been found by Experience to be too short, the Way Wardens generally postponing their respective Returns, till the Time limited is almost expiring, and having thereby no Opportunity, in Case any Error should be discovered in such Returns, to rectify the same"; For the preventing of such Inconvenience for the future, be it, and it is hereby Enacted, by the Authority aforesaid, That from and after the Publication of this Act, the Way Wardens shall within Four Days after their amending the Highways, at any Time return under their Hands, unto the Governor, Lieutenant Governor, or President of the Council for the Time being, a just and true List of all the Defaulters within their respective Parishes, and of their particular Defaults; and in Case any Error shall appear in any Return or Returns, the Way Warden or Way Wardens shall rectify and amend such Error, and again return the same within Three Days after such Error hath been pointed out to such Way Warden or Way Wardens, by such Governor, Lieutenant Governor, or President of the Council for the Time being.

IV. PROVIDED nevertheless, and it is hereby Declared, That this Act shall not be of any Force, until such Time as his Majesty shall have given his Royal Assent thereunto. Dated in *Antigua*, the Eleventh Day of *December*, in the Eighteenth Year of the Reign of our Sovereign Lord *GEORGE* the Third, by the Grace of *GOD*, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, and so forth; and in the Year of our Lord One thousand seven hundred and seventy-seven.

Read and passed the Assembly, the 12th Day of September, 1777. } JOHN TYSON, { Read and passed the Council, the 3d Day of October, 1777.

ARETAS AKERS, Jun. Clk. of Assen.

Speaker.

H. A. HARDY, Dep. Sec.

Antigua, December 11th, 1777. Passed the Commander and Governor in Chief.

WILLIAM



MATHEW BURT.

Published in the Town of *Basseterre*, on Monday the Fifteenth Day of *December*, and in the Towns of *Old-Road* and *Sandy Point*, on Tuesday the Sixteenth Day of the same Month, in the Year of our Lord One Thousand Seven Hundred and Seventy-seven.

HENRY BERKELEY, Dep. Prov. Marshal.

Recorded and Examined, the 17th Day of *December*, 1777.

H. A. HARDY, Dep. Sec.

No. 233.

Expired.

An Act for granting an Aid to his Majesty, by a Duty or Tax of Six Shillings, current Money, per Poll on all Negroes and other Slaves; and the further Duty of Six Pounds in the Hundred Pounds,

Pounds, on the yearly Value of Houses, Warehouses, Shops, and Tenements, in the several Towns within the said Island; and for repairing the Forts and Fortifications, and defraying the other Publick Expences of the said Island.

1777

No. 234.

1778.

An Act for the Relief of Thomas Popham, an Insolvent Debtor.

Private

No. 235.

An Act to amend an Act, intituled, "An Act for the establishing a Court of King's Bench and Common Pleas, and for the better Advancement of Justice in the Island of Saint Christopher, and for settling certain Fees, and repealing a former Act of the said Island, intituled, An Act for establishing of Courts, and settling due Methods for the Administration of Justice."

“ WHEREAS it has been found impracticable to summon the whole Number of Preamble good and sufficient Men, to appear and serve as Jurors, agreeable to the Directions of an Act, intituled, “*An Act for the establishing a Court of King's Bench and Common Pleas, and for the better Advancement of Justice in the Island of Saint Christopher, and for settling certain Fees, and repealing a former Act of the said Island, intituled, An Act for establishing of Courts, and settling due Methods for the Administration of Justice,*” passed in the Tenth Year of his Majesty King George the First, it being held indispensibly necessary, that each Juror should be summoned in Person, and such Jurors frequently concealing themselves, in Order to avoid being personally summoned: And Whereas nothing can tend more to the Advancement of Justice, than a regular and punctual Attendance of Jurors; We, Your Majesty's most dutiful and loyal Subjects, the Governor in Chief of all his Majesty's Leeward Charribbee Islands in America, and the Council and Assembly of the Island of Saint Christopher, do pray your most Excellent Majesty, that it may be Enacted; and be it, and it is hereby Enacted, by the King's most Excellent Majesty, by and with the Advice and Consent of the said Governor in Chief, and the said Council and Assembly, and by the Authority thereof, That from and after the Publication of this Act, whenever the Provost Marshal or his lawful Deputy, or such other Person as shall be legally appointed, shall find it impracticable to summon Jurors personally to attend and serve as such, agreeable to the Directions of the before mentioned Act, that then and in such Case, it shall be lawful for such Provost Marshal, or his lawful Deputy, or such other Person as shall be legally appointed, to leave a written Notice at the Dwelling House or Place of Abode of such Jurors respectively, directing them to attend, as by the before mentioned Act is appointed, which written Notices shall be deemed valid and effectual to all Intents and Purposes; and any Juror who shall neglect and refuse to attend and serve as a Juror by Virtue of such written Notice as aforesaid, shall be liable to the same Penalty, as is inflicted by the before mentioned Act, on Jurors for not attending when duly summoned, any Thing in the said before recited Act contained to the contrary thereof in any wise notwithstanding.

Marshal may
summon Jurors

by leaving a
Written Notice
at their Houses

Juror neglecting
to attend upon
such Notice, liable
to be fined.

II. AND be it further Enacted, by the Authority aforesaid, That the Provost Marshal, or his lawful Deputy, shall deliver into Court, on each Court Day, a true List of all such Jurors, as he shall have been directed to summon, and such Provost Marshal or his lawful Deputy, or such other Person as shall be legally appointed, shall make Oath that he has not wilfully or partially omitted to summon any Persons legally appointed to serve as Jurors by the before recited Act, which Oath shall be administered in Court; and if any such Person or Persons making Oath as aforesaid, shall be found guilty of swearing falsely, such Person or Persons shall suffer all the Pains and Penalties of Perjury.

Marshal to deliver into Court a List of Jurors summoned, & himself or his Officer to make Oath, that he has not wilfully omitted to summon any Persons. Falsely swearing, declared to be Perjury.

III. AND be it further Enacted, by the Authority aforesaid, That from henceforth the Provost Marshal or his lawful Deputy, or the Person acting in that Capacity, on every Court Day, when a Jury shall be wanted to try a Cause, is hereby directed to call such Jury indiscriminately from the List of Jurors summoned to serve at such Court, without any particular Attention to such Person or Persons who shall then be actually in Court; and in Case such Person or Persons who shall be so called shall not attend, then and in such Case, that Justice may not be delayed, the said Provost Marshal or his lawful Deputy, shall call such

Marshal to call Jurors indiscriminately to make a Jury.

1778.

Marshal to make
a Return of such
Jurors as were
summoned and
do not attend.

Marshal to sum-
mon Defaulters
personally, or by
a written Notice,
to be left at their
Dwelling, to at-
tend at the next
Court, and give
their Reasons for
their Non-atten-
dance.

If Reasons are
not sufficient, a
Distringas to is-
sue.

such Person or Persons who shall be then actually attending the said Court, to make up the Number sufficient to form a Jury.

IV. AND be it further Enacted, by the Authority aforesaid, That every Person or Persons who shall be summoned as is before directed, and do not appear on the Court Day that he or they shall be so summoned to attend, that then and in such Case, the Provost Marshal of the said Island, or his lawful Deputy, shall make a Return of such Person or Persons, upon Oath, and the said Provost Marshal or his lawful Deputy, shall be directed by the said Court to summon such Person or Persons, either personally, or by a written Notice, to be left at his or their Dwelling or Place of Abode, to appear at the next Court immediately following the said Court to which he or they were summoned to attend, or at such other Time or Times as the Judges of the said Court shall appoint, and give his or their Reasons, if any he or they have, for his or their Non-attendance; and if such Reason does not appear sufficient to the Judges of the said Court, then a *Distringas* shall immediately issue against him or them, as is directed by the said in Part recited Act. Dated in Saint Christopher, this Twenty fourth Day of July, in the Eighteenth Year of the Reign of our Sovereign Lord GEORGE the Third, by the Grace of GOD, of Great-Britain, France, and Ireland, King, Defender of the Faith, &c. and in the Year of our Lord One thousand seven hundred and seventy-eight.

Read and passed the Assembly, the
2d Day of April, 1778.

JOHN TYSON, }
Speaker.

Read and passed the Council, the
30th Day of June, 1778.

ARETAS AKERS, Jun. Clerk of Assen.

H. A. HARDY, Dep. Sec.

Passed the Governor in Chief this Twenty-fourth Day of July, 1778.

WILLIAM



MATHEW BURT.

Published in the Towns of Basseterre, Old-Road, and Sandy-Point, on Monday the Twenty-seventh Day of July, in the Year of our Lord One thousand seven hundred and seventy-eight.

HENRY BERKELEY, D. P. Marshal.

Recorded and Examined the Twenty-eighth Day of July, 1778.

H. A. HARDY, Dep. Sec.

No. 236.

This Act was
confirmed by the
King in Council,
11th Feb. 1782,
Vide No. 253.

An Act for ratifying and confirming several Alterations and Amendments made in the King's Upper High Way, in the Parish of Christ-Church, Nichola-Town, and Saint Mary, Cayon, in the Island of Saint Christopher, and for other Purposes therein mentioned.

Preamble.

“ WHEREAS the King's Upper High Way leading round this Island through
“ Part of the Parishes of Christ-Church, Nichola-Town, and Saint Mary, Cayon,
“ and passing by and through Part of the several Plantations or Lands of William Julius,
“ William Woodley, James Phipps, Charles Spooner, and Crisp Molineux. Esquires, of the Heirs
“ of John Bourryau, Esquire, deceased, of the Honourable Samuel Crooke, Esquire, of the
“ Heirs of Gilbert Fane Fleming, Esquire, deceased, of the Heirs of William Ottley, Esquire,
“ deceased, and Heirs of Daniel Mathew, Esquire, deceased, from a Gut commonly called
“ Seaton's or Sadler's Gut, in the said Parish of Christ-Church, Nichola-Town, to the Parish
“ Church of Saint Mary, Cayon, has, by Reason of heavy Rains and Torrents of Water,
“ been reduced in many Places to a ruinous and almost impassable Condition, whereby
“ his Majesty's Subjects having Occasion to pass through the same with their Carts and
“ Carriages, and particularly the Inhabitants and Proprietors and Occupiers of Lands in
“ those Parishes, whose Habitations and Estates lie contiguous to the same, have been in-
“ commoded, and it has become impracticable without a very great Expence of Parochial
“ Labour and Charge, to repair and keep up the said High Way in its ancient Course; In
“ Order to remedy which Inconvenience, several of the Inhabitants and Proprietors of Es-
“ tates in those Parishes, have, at their own Private Expence, erected Bridges, and changed
“ the Course of the said High Way in many Places into and through several Parts of their
“ respective Lands, to the great Improvement of the said High Way, and to the common
“ Ease and Convenience of all his Majesty's Subjects using and travelling the same, by
“ which Alterations and Improvements, the said Upper High Way now runs in the follow-
“ ing Course or Direction; (that is to say) beginning in the said Gut commonly called Sea-
“ ton's or Sadler's Gut, it passes in a North Eastwardly Direction on the Side of a Hill,
“ bounded

1778.

" bounded on the South and East by Lands of *William Julius*, Esquire, and on the North
 " and West by the aforesaid Gut, and leads to the Brow of a Hill called *Sadler's Hill*, where
 " it enters into its ancient Course, and continues thence by and through the Lands of
 " *William Woodley*, *James Phipps*; and the said *William Julius*, Esquires, to the Brow of a Hill
 " in Lands commonly called *Richards's*, in the Possession of the said *James Phipps*; whence
 " it takes a new Direction; and passes Southwardly through the said Lands called *Richards's*,
 " by a small Point of Land belonging to the said *William Woodley*; to a Gut commonly
 " called *Spring Gut*; and which divides Part of the Upper Lands of the said *William*
 " *Woodley*, from Lands of *Charles Spooner*, Esquire, (late *George Irvine's*, Esquire); and from
 " thence in a circular Direction, through a Neck of Land belonging to the said *Charles*
 " *Spooner*, to a Gut usually called *Sandy Gut*; thence taking two new Directions; viz. first
 " on the South West it passes through Lands of the said *James Phipps*, on the Borders of
 " the said Gut towards the Level, until it reaches and continues in its former Course on
 " the Brow of a Hill to the East South East of the Windmill Work on the said Land of the
 " said *Charles Spooner*, to the Level and *Graves's Gut*; and secondly from the said Gut
 " called *Sandy Gut*, it passes in a new North Eastwardly Direction, through the Lands of
 " the said *James Phipps*, until it falls into its old Course a little above the lower Windmill
 " Work of the said *James Phipps*; thence continuing in its old Direction through the several
 " Lands of the said *James Phipps*, *Crisp Molineux*; and the Heirs of the said *John Bourryau*,
 " deceased, until it comes to the upper Gate of the Range leading from the lower to
 " the upper Estate of the Heirs of the said *John Bourryau*; thence taking its Course East-
 " wardly to the Brow of a Hill lying between the Lands of the Heirs of the said *John*
 " *Bourryau*, and Lands of the said *Samuel Crooke*, leading thence and descending the said
 " Hill Southwardly in a new circular Direction, through Lands of the said *Samuel Crooke*,
 " to a newly erected Bridge over the Gut commonly called *Soldier's Gut* (which divides
 " the said two Parishes); and thence ascending a Hill in a Northwardly and Eastwardly
 " Direction, passing through Lands of the said *Samuel Crooke*, it falls into its former Course
 " near a Cesspool on the Brow of the said Hill, and passes along the Works and Dwelling-
 " House of the said *Samuel Crooke*; through Lands of the said *Samuel Crooke*; and the Heirs
 " of the said *Gilbert Fane Fleming*, Esquire; deceased, to a Neck or Corner of Lands be-
 " longing to the Heirs of the said *Gilbert Fane Fleming*, deceased, near a new-constructed
 " Bridge over the Gut which bounds the Lands late of the said *Gilbert Fane Fleming*, and
 " the Lands of the Heirs of the late *William Ottley*, Esquire, deceased; thence taking a new
 " Direction to and over the last mentioned Bridge, it leads below and near a Well be-
 " longing to the Heirs of the said *William Ottley*, Esquire, deceased, in a circular Direction
 " through a small Neck of Land belonging also to the Heirs of the said *William Ottley*,
 " Esquire; deceased, to another new Bridge over the Gut which bounds or separates the
 " Estate late of the said *William Ottley*, from the Estate of the Heirs of the said *Daniel Ma-*
 " *thew*; thence continuing in a new Direction, and ascending a Hill through Lands of the
 " Heirs of the said *Daniel Mathew*; until it enters into its old Course on the Brow of the
 " said Hill; and (leaving on the right Hand the old Road which formerly lead at the Back
 " of the Dwelling-House of the Heirs of the said Estate of the said *Daniel Mathew*, by his
 " Row of Cabbage Trees, and his Lands towards the Parish Church of Saint *Mary, Cayon*,
 " and which is now stopped up) from thence it continues in an Eastwardly Direction, to
 " the Negro Houses of the Heirs of the said *Daniel Mathew*; from whence it takes a new
 " Direction Eastwardly through the said Negro Houses, along by and below the Windmill
 " Sugar Work, and through the Pasture of the Heirs of the said *Daniel Mathew*, until it
 " meets the Path leading from the Lower High Ways adjoining the Estate of *John Pogson*,
 " Esquire, through the said Pasture to the said Parish Church of Saint *Mary, Cayon*; and
 " from thence continues in a new Southwardly Course through a private Cart Path or
 " Range of the Heirs of the said *Daniel Mathew*, until it falls into the common High Way
 " leading from *Cayon River* to the Parish Church of Saint *Mary, Cayon*, as aforesaid:
 " And Whereas the said Alterations and Improvements, although manifestly made for the
 " Public Good, were so made without his Majesty's Writ of *ad quod damnum*, or other
 " lawful Authority having been previously obtained for that Purpose, whereby not only
 " many Persons are liable to Criminal Prosecutions, but the said High Way, as it now
 " stands altered may, in the Places so altered, be stopped up at the Will and Caprice of
 " private Persons, through Part of whose Lands the said High Way may have been turn-
 " ed, and such ancient Parts of the said High Way as have been so lately stopped up, may
 " be again maliciously opened, by which many vexatious Prosecutions and Suits may be
 " set on Foot, and the Public be greatly disquieted and prejudiced: And Whereas at the
 " Time of altering the said Road, it was expressly agreed by and between the late Ho-
 " nourable *Samuel Crooke*, and several of the Persons hereinbefore mentioned, that the said
 " *Samuel Crooke*, his Heirs and Assigns, should hold, possess, and enjoy as in common, here-
 " inafter mentioned certain Parts or Slips of Land of *James Phipps*, *Crisp Molineux*, and the
 " Heirs

1778.

"Heirs of *John Bourryau*, Esquire, deceased, through which the Water then and now runs from the Mountain in the said Parish of *Christ-Church, Nichola-Town*, to the Plantation of the said *Samuel Crooke*: And Whereas the said *Samuel Crooke* departed this Life before the Agreement was carried into due Execution, leaving the Honourable *Samuel Crooke* his Heir at Law to his said Plantation or Estate in the said Parish of *Christ-Church, Nichola-Town*: To the End therefore, that the said High Way, as the same has been changed, altered, and amended, and now stands, may be confirmed and for ever kept up as a Public High Way to the Public; and for remitting and pardoning all Offences and Prosecutions which any Person or Persons hath or have committed, or to which they or any of them are or may be liable, in Respect of the said unauthorised and illegal diverting and changing the Course of the said High Way; for quieting and preventing all Suits, Controversies, and Disputes concerning the same; and as a Compensation to such Persons as have voluntarily given up Part of their Lands, and permitted the said High Way to take a fresh Course through their Estates, for the Public Convenience; at the humble Petition of them the said *William Julius, William Woodley, James Phipps, Charles Spooner, Crisp Molineux*, the Heirs of the said *John Bourryau, Samuel Crooke*, the Heirs of the said *Gilbert Fane Fleming*, the Heirs of the said *William Otley*, and *Daniel Mathew*," We, Your Majesty's most loyal and obedient Subjects, the Council and Assembly of your Island of *Saint Christopher*, do most humbly beseech Your Majesty that it may be Enacted; And be it, and it is hereby Enacted, by the King's most excellent Majesty, by and with the Advice and Consent of his Governor in Chief in and over all His Majesty's Leeward *Charribbee* Islands in *America*, and the Council and the Assembly of this his said Island of *Saint Christopher*, and by the Authority of the same, That all and every the beforementioned Diversions, Alterations, and Improvements, which have been made in the said High Way, in the several Parts and Places thereof as aforesaid, shall be, and the same are hereby severally ratified, allowed, established, and confirmed, and the said High Way in the several Courses and Directions, commencing, running, and ending from and to the several Places hereinbefore particularly mentioned and described, and as the same High Way now stands, and is now used, shall be hereafter deemed and taken, and the same is hereby declared to be the King's Upper Public and Common High Way, in Lieu of the former Upper High Way, from *Seaton's* or *Sadler's* Gut aforesaid, to the said Parish Church of *Saint Mary, Cayon*, to all Intents, Constructions, and Purposes whatsoever, and as such shall be for ever hereafter repaired, amended, and kept up in such Manner, and be subject and liable to the like Rules and Regulations as are already provided and ordained, for the repairing, amending, and regulating the other High Ways of this Island, by the Laws now in Force touching or concerning the same.

The Road as it is now used, to continue the same,

and declared to be the King's High Way,

and to be repaired in like Manner with the other High Ways,

No Person liable to Prosecution for stopping or altering the Course of the Roads;

If prosecuted, may plead this Act in Bar, and

Judgment shall be given for Defendant with Treble Costs.

The old Road not to be opened again, but

from henceforth to be deemed the Property of the Person through whose Lands it formerly passed, his Heirs and Assigns.

Way Wardens to widen the Road from *Cayon* River to the Parish Church of *Cayon*, to the breadth of 18 feet.

II. AND be it further Enacted, by the Authority aforesaid, That no Person or Persons shall be hereafter liable to be impeached, sued, prosecuted, or molested, by any Indictment, Information, or Action at Law, for having been concerned in any Wise in the stopping or altering the Course of the said former High Way; and that if any Person or Persons shall be hereafter so impeached, sued, prosecuted, or molested, every such Person and Persons, shall and may plead this Act in Bar to every such Indictment, Information, or Action, and all and every the Judges of the said Court, wherein such Indictment, Information, or Action shall be preferred, filed, or brought, are hereby directed to give Judgment for the Defendant or Defendants, and the Defendant or Defendants shall and may recover Treble Costs from all and every such Prosecutor or Prosecutors, Plaintiff or Plaintiffs.

III. AND be it further Enacted, by the Authority aforesaid, That all and every such Parts or Portions of the said former High Way as have been or may be stopped up in Consequence of the said late Alterations therein, shall never be liable to be hereafter opened, used, or travelled again as a Public Road, but that the Soil of all and every such former Part or Portions thereof, shall be from henceforth deemed to be the Private Property of, and the same are hereby respectively vested in the several Persons through whose Lands the same used formerly to pass, and in their several and respective Heirs and Assigns, to the Use of them and their several and respective Heirs and Assigns forever, and they shall respectively have and be intitled to the same legal Remedies against all Trespasses or Wrongdoers therein, as they would by Law in other Cases of Trespasses be intitled unto.

IV. "AND whereas part of the High Way leading from *Cayon* River to the said Parish Church of *Saint Mary, Cayon*, beginning opposite to the House of *William M'Tair*, and from thence up to the Entrance of the new Road, is so narrow, that two Carriages, when they meet, cannot pass each other;" For widening the said High Way Six Feet, so as to make the same Eighteen Feet wide in the clear, Be it further Enacted, by the Authority aforesaid, That it shall and may be lawful to and for the Way Wardens of the said Parish of *Saint Mary, Cayon*, calling to their Assistance the Agents or Attornies of the Heirs of the said *Daniel Mathew*, forthwith to extend and widen the aforesaid Portion of the said High Way, to the width of Eighteen Feet in the clear, by widening the same on either Side

Side as shall be directed by the said Agents or Attornies of the said Heirs of the said *Daniel Mathew*, in Order that as little Prejudice as possible be done to the Lands of the said Heirs of the said *Daniel Mathew*; And that the said High Way, so widened as aforesaid, shall be for ever hereafter deemed the King's High Way, and to be subject to the same Rules and Regulations for the repairing, regulating, and amending thereof; as the other High Ways of this Island are liable to; and the said Heirs of the said *Daniel Mathew*; shall be entitled to receive from the Public Treasury of this Island, full Payment for all such Lands as they shall be deprived of, in consequence of the widening the said Road as aforesaid, the Value to be ascertained as directed in like Cases; by an Act, intituled, "*An Act for the more effectual cleaning and amending the High Ways in this Island, and to repeal an Act, in tituled; An Act for repairing her Majesty's High Ways.*"

1778.

To be deemed the King's High Way, & subject to the same Regulations as the other Highways. The Heirs of *Daniel Mathew* to be paid for the Land which shall be taken to enlarge the Road.

V. AND be it further Enacted, by the Authority aforesaid, That the said Honourable *Samuel Crooke*, Son and Heir of the said Honourable *Samuel Crooke*, deceased, and the Heirs of the late *Gilbert Fane Fleming*, Esquire; their Heirs and Assigns, shall have, hold, possess, and enjoy for ever the said Parcels or Slips of Land of the said *James Phipps, Crisp Molineux*, and the Heirs of *John Bourryau*, in common with the said *James Phipps, Crisp Molineux*, the Heirs of the said *John Bourryau*; and the said *Samuel Crooke*.

The Heirs of Mr. *Crooke* and Mr. *Fleming* to enjoy the Slip of Land hereinbefore mentioned, in common with Mr. *Molineux* and others.

VI. AND be it further Enacted, by the Authority aforesaid, That the Heirs of the said *Daniel Mathew*, shall be paid out of the Public Treasury of this Island, the Sum of Two Hundred and Fifty Pounds, current Money of the said Island, in full Satisfaction for any Alterations or Improvements hereinbefore mentioned; affecting the Property and Lands of the said *Daniel Mathew*.

Mr. *Mathew* to be paid 250l. for Alterations affecting his lands.

VII. AND be it further Enacted, by the Authority aforesaid, That this Act shall be deemed a Public Act, and be judicially taken Notice of as such in all Courts of Justice and other Places accordingly.

To be deemed a Public Act.

VIII. PROVIDED also, and it is hereby Declared and Enacted, by the Authority aforesaid, That this Act shall not be in Force until his Majesty's Royal Approbation and Allowance thereof shall be had and proclaimed. Dated in Saint Christopher, this Thirtieth Day of October, in the Nineteenth Year of our Sovereign Lord *GEORGE* the Third; by the Grace of GOD, of Great-Britain, France, and Ireland, King, Defender of the Faith, and so forth; and in the Year of our Lord One Thousand Seven Hundred and Seventy-eight.

The Operation of this Act suspended until his Majesty's Pleasure is known.

Read and passed the Assembly, the } *JOHN TYSON*, { Read and passed the Council, the
25th Day of August, 1778. } Speaker: { 25th Day of September, 1778.
ARETAS AKERS, Jun. Clerk of Assen. { *H. A. HARDY, Dep. Sec.*

Passed the Governor in Chief this Thirtieth Day of October, 1778.

WILLIAM  MATHEW BURT.

Published in the Towns of *Sandy-Point* and *Old-Road*, on Friday the Thirtieth Day of October, and in the Town of *Basseterre*, on Saturday the Thirty-first Day of the same Month, in the Year of our Lord One thousand seven hundred and seventy-eight.

HENRY BERKELEY, D. P. Marshal.

Recorded and Examined the Thirty-first Day of October, 1778:

H. A. HARDY, Dep. Sec.

No. 237.

An Act to amend an Act, intituled, An Act for establishing a Militia in this Island, and for ordering and regulating the same; and for the further and better Regulation of the said Militia.

Expired.

No. 238.

1779.

An Act for raising a Duty of Gun Powder upon the Tonnage of Vessels trading to and with this Island; and to encourage the Importation of Provisions, Stock, Lumber, and other Things therein-mentioned.

Expired.

No.

1779.

No. 239.

Expired.

An Act for granting an Aid to his Majesty, by a Duty or Tax of Twelve Shillings and Six Pence, current Money, per Poll on all Negroes and other Slaves; and the further Duty of Twelve Pounds Ten Shillings in the Hundred Pounds, on the yearly Value of Houses, Warehouses, Shops, and Tenements, in the several Towns within the said Island; for repairing the Forts and Fortifications, and defraying the other Public Expences of the said Island.

No. 240.

Repealed by an Act constituting Charles Spooner, Esq. Agent. Vide No. 265.

An Act to repeal Part of an Act made in the Thirteenth Year of the Reign of His Majesty King GEORGE the Third, intituled, An Act for repealing a former Act, intituled, An Act for appointing Henry Wilmot, Esquire, Agent for the Island of Saint Christopher, in Great-Britain, in the Room of John Sharpe, Esquire, lately deceased, and for settling a Salary upon him during his Agency; and for appointing William Payne Georges, Esquire, Agent for the said Island, in the Room of the said Henry Wilmot, and for settling a proper Salary upon him during the Time of his Agency.

No. 241.

Expired.

An Act for the better securing this Island, by restraining the retailing of Spirituous Liquors among the King's Troops.

No. 242.

Vide Act No. 269.

An Act to oblige all Owners, Renters, and Possessors of Slaves in this Island, to send a Proportion thereof to work in the Forts and Fortifications of this Island, and for carrying on the Public Works, and other Services which may be deemed necessary for the Public Safety.

Commissioners to issue their Warrant, when they think it expedient to summon Owners, &c. to send a Proportion of their Slaves for the Public Service. All Owners, &c. to obey said Warrant, and to send such Proportion of their Slaves as a Warrant shall direct, not exceeding the 20th Part of the whole, with such Tools, &c. as shall be required, to attend at such Place as the Commissioners shall direct, under the Penalty of 6s. the Day for every Slave omitted. Penalty to be applied to the use of the Public, to be levied with Costs, by Distress & Sale of Defaulter's Goods & Chattels, by Warrant under Hands and Seals of three or more Commissioners.

“ WHEREAS, at the present critical Situation of this Island, a Number of Negroes and other Slaves will be wanting to work in the different Forts and Fortifications of this Island, and for carrying on the Public Works, and other Services which may be deemed necessary for the Public Safety;” We, Your Majesty's most faithful Subjects the Council and Assembly of Saint Christopher, do pray Your Majesty that it may be Enacted; And be it, and it is hereby Enacted, by the King's most Excellent Majesty, by and with the Advice and Consent of the Governor in Chief of all Your Majesty's Leeward Charribbee Islands in America, and the Council and Assembly of the said Island of Saint Christopher, and by the Authority of the same, That from and immediately after the Publication of this Act, it shall and may be lawful for the Commissioners hereinafter named, or any three or more of them, from Time to Time, whenever they shall judge it expedient for the Public Service, to issue their Warrant or Warrants, to any Constable or Constables, within the said Island, directing him or them to summon the different Owners, Renters, and Possessors of Slaves within the said Island, to send a Proportion of their Slaves, which Proportion is hereinafter ascertained, to work on the different Forts and Fortifications, or for any other Service which the Public Security may require.

II. AND be it also Enacted, That all and every Person or Persons whatsoever, being Owners, Possessors, or Renters of any Slave within this Island, shall be, and they are hereby obliged and enjoined to comply with the said Summons, and to send out a Proportion of their Slaves, who shall be able, as the said Commissioners or any three or more of them in their said Summons shall direct, each not exceeding one twentieth Part of their whole Number, each Slave to have such Tools or Utensils, and to attend at such Time and Place as the said Commissioners, or any three or more of them, shall from Time to Time direct, and in like Proportion for any greater or lesser Number of Slaves, upon Pain of forfeiting Six Shillings, current Money, by the Day, for every Slave, out of each and every Person's Proportion omitted, or neglected to be furnished and sent in Manner aforesaid, which Penalty shall be applied towards the Use of the Public of this Island, and shall be, from Time to Time, levied with usual Costs, by Distress and Sale of the Defaulter's Goods and Chattels, by Warrant under the Hands and Seals of the said Commissioners, or any three or more of them, directed to any Constable of this Island.

III.

III. AND be it further Enacted, by the Authority aforesaid, That the Proportion of Slaves each Person shall be obliged to send by Virtue of this Act, shall be regulated from the last List taken for raising the Tax for Payment of the Salary of his Excellency General BART, during his Government, and that each and every Person and Persons whatsoever shall be obliged to send their Slaves according to the said List, unless such Person or Persons shall make it appear to the Satisfaction of the Commissioners, or any three or more of them, that the Number of his Slaves has been diminished since the taking of the said List.

IV. AND be it further Enacted, by the Authority aforesaid, That if any Person or Persons shall sustain any Damage by Reason of the said Public Work, by wounding, maiming, or killing of any Negro or other Slave, sent to and employed on such Works, every Person so damaged, shall be recompensed for the same out of the Public Treasury of this Island, such Damage to be settled by an Appraisement upon Oath of any two or more of the Freeholders of the Neighbourhood, to be for that Purpose named by the said Commissioners, or any three or more of them.

V. AND be it further Enacted, by the Authority aforesaid, That the Governor in Chief for the Time being, may from Time to Time appoint such Persons, as he shall judge duly qualified, to inspect, overlook, and keep at Work the Slaves to be employed about the said Public Work, under the Direction and Controul of the said Commissioners; which Persons are hereby required to keep a true and regular Journal or daily Account of the Number of Slaves sent to the said Works, and of each Person's Name to whom they respectively belong, which Journal shall be produced and delivered up, on Oath, if required, whenever the same shall be demanded by the said Commissioners, or any three or more of them; and the Hire of the said Supervisors shall be paid out of the Public Treasury of this Island, at such Rate as the Commissioners, or the major Part of them, shall agree to give: And in Case the said Supervisors or any of them, shall neglect the Performance of any of the Duties required by this Act, and shall be convicted thereof before any two of his Majesty's Justices of the Peace in this Island, such Supervisor or Supervisors shall, for every Neglect, forfeit the Sum of Twenty Pounds, current Money, to be applied to the Use of the Public of this Island.

VI. AND be it further Enacted, by the Authority aforesaid, That with all convenient Speed from and immediately after the Publication of this Act, that the Commissioners hereinafter named, or any three or more of them, shall have full Power and Authority to erect and make Breast-works and Intrenchments at such Places within this Island, and in such Manner and Form as the said Commissioners, or any three or more of them, shall with the Advice of his Excellency the Captain General or Commander in Chief on the Island for the Time being, and the Commander of his Majesty's Troops within this Island, direct and appoint:

VII. AND be it further Enacted, by the Authority aforesaid, That the Honourable Lewis Brotherson, William Wells, Samuel Crooke, Stedman Rawlins, and William Leslie Hamilton; Benjamin Clifton, Aretas Akers, Robert Douglas, Robert Thomson, Stedman Rawlins, junior, John Julius, Hubert Guichard Mercer, John Garnett, junior, and John Thomas, Esquires, or any three or more of them, shall be, and are hereby named and authorised Commissioners to put this Act in Execution within the said Island.

VIII. AND be it further Enacted, by the Authority aforesaid, That in all Cases where it is necessary to call forth the Negroes for the Purposes of carrying into Execution this Act, all the Commissioners above-named shall have Notice thereof, and be summoned to attend accordingly: The Commissioner first named in the Bill, or in Case of his Absence or Sick-ness, the next named, and so in Succession, shall give such Notice as aforesaid, to the several Commissioners hereinbefore mentioned:

IX. AND to prevent any Obstruction or Delay which may happen in the Execution of this Act, by Reason of the Absence from the Island, or Death of the said Commissioners, or any of them, Be it further Enacted, by the Authority aforesaid, That the Council and Assembly for the Time being, shall and may, by a Vote of each House, from Time to Time, when and as often as they shall see Occasion, name and elect new Commissioners, to supply the Places of such as shall happen to die or be absent from this Island.

X. AND be it further Enacted, That if any Person shall be sued or molested for any Thing done by Virtue of this Act, he, she, or they may plead the General Issue, and give this Act and the Special Matter in Evidence for their Justification; and if the Plaintiff or Plaintiffs be nonsuited, or discontinue such Actions, or a Verdict be found against such Plaintiff or Plaintiffs, or if Judgment be awarded for the Defendant, upon a Demurrer or otherwise, in each and every of the said Cases, such Plaintiff or Plaintiffs shall pay Treble Costs of Suit; and this Act is hereby declared to be a General Law, and all Courts, Judges, and Justices are to take Notice thereof accordingly: Dated in Saint Christopher, the Sixth Day of August, in the Nineteenth Year of the Reign of our Sovereign Lord GEORGE the Third, by the Grace of God, of Great-Britain, France, and Ireland, King, Defender of the

1779.

Proposition of Slaves to be regulated by the last List taken for Gen. Bart's Tax, unless the Number of any Person's Slaves shall have decreased.

Any Negro killed, wounded, maimed, or killed on the Public Works, to be paid for out of the Public Treasury. Damage to be ascertained by, or more Freeholders upon Oath.

Govern. in chief to appoint Inspectors of the Negroes on Public Works, who are to keep a daily Account of Slaves sent to the Works, and the Owners Names, such Account to be delivered up, on Oath, if required, to the Commissioners.

Inspectors to be paid out of the Treasury at such Rate as Commissioners shall allow: If Inspectors are convicted before 2 Justices of Peace of Neglect of Duty, to pay £.20 as a Fine, & each Offence to the Public Use. Commissioners empowered to make Breast-works and Intrenchments where they think fit within the Island, with Advice of the Governor General & Commander of the Troops within the Island.

Commissioners Names.

Commissioners to be all summoned to attend when it shall be thought necessary to call out the Negroes; Commissioner first named in the Bill to issue Summons.

Council and Assembly to fill up Vacancies of Commissioners by Death or otherwise.

Any Person sued for any Thing done in Pursuance of this Act may plead the General Issue, & give this Act & Special Matter in Evidence; and in Case of Discontinuance, or Verdict for Defendant, Judgment for Defendant on Demurrer, Plaintiff to pay Treble Costs. Declared a General Law.

1779.

Faith, and so forth; and in the Year of our Lord One Thousand Seven Hundred and Seventy-nine.

Read and passed the Assembly, the } JOHN TYSON, { *Read and passed the Council, this*
3d Day of August, 1779. } Speaker. } 3d Day of August, 1779.

ARETAS AKERS, Jun. Clk. of Assen.

H. A. HARDY, Dep. Sec.

Saint Christopher's. Passed the Governor in Chief this Sixth Day of August, 1779.

WILLIAM



MATHEW BURT.

Published in the Town of Basseterre, on Saturday the Seventh Day of August, and in the Towns of Old-Road and Sandy-Point, on Monday the Ninth Day of the same Month, in the Year of our Lord One Thousand Seven Hundred and Seventy-nine.

HENRY BERKELEY, Dep. Prov. Marshal.

Recorded and Examined, the 9th Day of August, 1779.

H. A. HARDY, Dep. Sec.

No. 243.

Expired.

An Act for establishing a Court of Sessions of the Peace, to be held in and for the said Island.

1780.

No. 244.

Expired.

An Act for granting an Aid to his Majesty, by a Duty or Tax of Twenty Shillings, current Money, per Poll on all Negroes and other Slaves; and the further Duty of Twenty Pounds in the Hundred Pounds, on the yearly Value of Houses, Warehouses, Shops, and Tenements, in the several Towns within the said Island; for repairing the Forts and Fortifications; for the better Support of his Majesty's Troops stationed in this Island for the Defence of the same; and defraying the other Public Expences of the said Island.

1781.

No. 245.

An Act to prevent the Practice of firing Squibs and other Fireworks in this Island.

Preamble.

“ WHEREAS the Practice of firing Squibs and other Fireworks, has greatly prevailed in this Island, and unless timely prevented, may prove of the most mischievous and dangerous Consequences to the Lives and Properties of the Inhabitants thereof: And Whereas the Methods hitherto pursued for the Prevention of so great an Evil, have been found ineffectual, and the Interposition of the Legislature appears absolutely necessary to put a Stop to so great an Evil;” We, Your Majesty's most dutiful and loyal Subjects, the Commander in Chief in and over all Your Majesty's Leeward *Cherribbee* Islands in *America*, and the Council and Assembly of Saint *Christopher*, do pray Your most Excellent Majesty that it may be Enacted; And be it, and it is hereby Enacted, by the King's most Excellent Majesty, by and with the Advice and Consent of the said Commander in Chief, and the Council and Assembly of the said Island of Saint *Christopher*, and by the Authority of the same, That from and after the Publication of this Act, any Person who shall be found firing Squibs or other Fireworks in this Island, and shall be duly convicted thereof, by the Oath of one or more credible Witnesses, in any Court of Record in this Island, such Person shall be imprisoned by the said Court, for any Time not exceeding Thirty Days, and pay any Sum not exceeding Fifty Pounds, current Money, for such Offence.

Persons convicted of firing Squibs or other Fireworks to be imprisoned and fined.

Constables neglecting to apprehend Persons firing Squibs, &c. to be imprisoned and fined.

II. AND be it further Enacted, by the Authority aforesaid, That whenever any of the Constables in this Island, shall be convicted in any Court of Record, of having neglected to apprehend and seize any Person or Persons who shall be found firing Squibs or other Fireworks, and shall not carry such Person or Persons to any Justice of the Peace in this Island, to be dealt with according to Law, such Constable shall suffer Ten Days Imprisonment, and pay a Fine to his Majesty, his Heirs and Successors, of Twenty Pounds, current Money.

III.

III. AND be it further Enacted, by the Authority aforesaid, That every Justice of Peace in this Island, on due Proof being made before him, of any Person or Persons having been found firing Squibs or other Fireworks, shall immediately commit such Offender to the Common Gaol of this Island, there to remain to take his Trial at the next Court of King's Bench, or other Court of Record, whichever shall first happen; unless in the mean Time such Person or Persons offending as aforesaid, shall enter into a Recognizance, with two able and sufficient Securities, for such Sums of Money as the Justice shall think proportionable to the Circumstances of the Offender, to appear at such Court of King's Bench, or other Court of Record, whichever shall first happen, there to abide by the Judgment of such Court, otherwise such Recognizance shall be forfeited, and is hereby declared recoverable in any Court of Record in this Island.

1781.
Justices of the Peace to commit Persons firing Squibs, &c. to take their Trial; unless such Offenders find Security for their Appearance to take their Trial, and abide by Judgment of Court.

IV. PROVIDED always, That nothing in this Act shall tend to prevent the Chief Governor, or in his Absence the Commander on the Island for the Time being, from permitting and suffering Fireworks to be exhibited, in any convenient and proper Place, where no Danger can accrue to the Inhabitants, any Thing in this Act contained to the contrary in any-wise notwithstanding.

Commander in Chief may permit Fireworks to be exhibited in any proper Place.

V. AND be it further Enacted, by the Authority aforesaid, That it shall and may be lawful for any three of his Majesty's Justices of the Peace to appoint as many Constables as they shall think proper, for the Purpose of carrying this Act into Execution; and any Constable who shall be appointed as aforesaid, and shall refuse to take the necessary Oaths within Twenty-four Hours after such Appointment, such Constable shall forfeit and pay the Sum of Twenty Pounds, current Money; to be recovered in any Court of Record in this Island, by Action of Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than one Imparlance shall be allowed; and in Default thereof shall suffer Twenty Days Imprisonment.

Any three Justices may appoint as many Constables as they think proper for carrying Act into Execution; Constables so appointed refusing to take Oaths in 24 Hours, shall forfeit £20, or be imprisoned 20 days.

VI. PROVIDED always, That no Person shall be compelled to serve the Office of Constable more than One Year, nor shall be appointed to such Office again, until by Rotation it shall come to his Turn; and in Case any Negro or other Slave shall be convicted before any Justice of the Peace of this Island, of having fired Squibs or other Fireworks, such Justice of the Peace is hereby empowered to commit such Negro or other Slave to the Common Gaol of this Island, and within Thirty-six Hours after such Conviction, to direct and order such Negro or other Slave to receive in the Public Market-Place, on his bare Back, any Number of Lashes not exceeding One Hundred Lashes; and the Owner of such Slave or Slaves shall be liable to pay all Costs attending the apprehending, imprisoning, and whipping of such Slave or Slaves.

Penalty how recovered. Constables to serve in Rotation, and not obliged to serve for more than One Year at a Time. Slaves convicted of firing Squibs, to be committed, and Owners of such Slaves to pay Costs of Commitment & Whipping.

VII. AND be it further Enacted, by the Authority aforesaid, That all the Forfeitures and Penalties imposed by this Act, shall be applied, the One Half to such Person or Persons who shall sue for the same, and the other Half to the Repairs of the Forts and Fortifications, and the other Public Expences of this Island, and that this Act shall be taken and allowed in all Courts in this Island, as a Public Act, and all Judges, Justices, and Juries are to take Notice thereof without specially pleading the same. Dated in Saint Christopher, the First Day of May, in the Twenty-first Year of the Reign of His Majesty GEORGE the Third, of Great-Britain, France, and Ireland, King, Defender of the Faith, and so forth; and in the Year of our Lord One Thousand Seven Hundred and Eighty-one.


Forfeitures and Penalties how to be recovered and applied.

Read and passed the Assembly, the 2d Day of March, 1781. ARETAS AKERS, Speaker.

JA. WARD, Clerk of Assen.

Saint Christopher, May 1st, 1781. Passed the Council, the 3d Day of March, 1781. JOHN HENRY, Dep. Sec.

Passed the Commander in Chief.

ANTHONY  JOHNSON,

Published in the Town of Basseterre, on Tuesday the First Day of May, and in the Towns of Old-Road and Sandy-Point, on Wednesday the Second Day of the same Month, in the Year of our Lord 1781.

HENRY BERKELEY, D. P. Marshal.

Recorded and Examined the Fourth Day of May, 1781.

JNO. HENRY, Dep. Sec.

No. 246.

An Act to prevent Negroes and other Slaves from being clandestinely carried from the Island; and to regulate the Owners of Canoes and other small Boats.

Expired.

No.

1781.

No. 247.

Enacted.

An Act for granting an Aid to His Majesty, by a Duty or Tax of Thirty Shillings, current Money, per Poll on all Negroes and other Slaves; and the further Duty of Thirty Pounds in the Hundred Pounds, on the yearly Value of Houses, Warehouses, Shops, and Tenements in the several Towns within the said Island; for repairing the Forts and Fortifications; for the better Support of his Majesty's Troops stationed in this Island for the Defence of the same; and defraying the other Public Expences of the said Island.

No. 248.

An Act for raising and settling the Sum of One Thousand Pounds, current Money, per Annum, upon his Excellency THOMAS SHIRLEY, Captain General and Governor in Chief in and over all His Majesty's Leeward Charribbee Islands in America, for the more honourable Support of him, and the Dignity of His Majesty's Government, during the Term therein specified, by a Duty or Tax of One Shilling, current Money, per Poll upon all Negroes and other Slaves within this Island.

WHEREAS our ready and chearful Obedience to Your Majesty's Royal Will, cannot be more properly shewn, than by a voluntary Settlement upon His Excellency THOMAS SHIRLEY, Your Majesty's Chief Governor or Your Leeward Charribbee Islands, of a Sum of Money in Addition to his Salary from your Majesty, for the more honourable Support of him, and the Dignity of Your Majesty's Government; We, therefore, Your Majesty's most dutiful and loyal Subjects, the Assembly of your Island of Saint Christopher, do unanimously most humbly beseech your Majesty that it may be Enacted; And be it, and it is hereby Enacted, by the King's most Excellent Majesty, by and with the Consent of his Majesty's Governor in Chief of all his Leeward Charribbee Islands, and of the Council and Assembly of the said Island of Saint Christopher, and by the Authority of the same, That the Sum of One Thousand Pounds, current Money of the said Island, to be computed from the Twenty-third Day of July last past, shall be paid unto the said THOMAS SHIRLEY, by the Treasurer of this Island for the Time being, or such other Officer as shall be appointed to collect and pay the same, in Gold or Silver Money only, out of the Monies arising from the Taxes hereinafter mentioned, in Manner and Form as hereinafter is directed and appointed; that is to say, Yearly and every Year during such Term and Time as he the said THOMAS SHIRLEY shall continue to be Chief Governor of the said Leeward Charribbee Islands, and shall reside in his Government, by two equal half-yearly Payments; that is to say, on the Twenty-third Day of January, and the Twenty-third day of July; the first Payment whereof shall begin, and is hereby appointed to be made, on the Twenty-third Day of January next ensuing.

H. AND for the more effectually securing the Payment of the aforesaid several Sums of Money, on the several Days for that Purpose above limited and appointed, Be it, and it is hereby Enacted, by the Authority aforesaid, That the Treasurer of this Island for the Time being, or such other Officer as shall be appointed to collect and pay the same, without any Warrant or Order for that Purpose to be had or issued, pay or cause to be paid unto the said THOMAS SHIRLEY, his Executors, Administrators, or Assigns, the said annual Sum of One Thousand Pounds, in Manner and Form, and upon such Days and Terms as are hereinbefore limited and appointed, by, from, and out of such Money as shall arise and come to his Hands, by Virtue of this Act, as hereinafter specified.

III. PROVIDED nevertheless, and be it Enacted, by the Authority aforesaid, That in Case the Taxes hereinafter mentioned should not be sufficient for the Payment of the said annual Sum of One Thousand Pounds, or shall be insufficient at such Days and Times as are hereinbefore limited and appointed, then and in that Case, such Deficiency as shall thereupon happen, shall be made good, paid, and discharged from and out of the first Money that shall be raised by Virtue of any subsequent Act of the Chief Governor, Council, and Assembly of this Island; and the Treasurer or such other Officer as shall be appointed, is hereby authorized and directed, without further or other Warrant, thereout to pay the same, or so much thereof as shall be sufficient to satisfy and discharge all such Sum or Sums of Money then due and in Arrear to the said THOMAS SHIRLEY, for and by Reason of the aforesaid annual Sum of One Thousand Pounds, herein and hereby to him appointed and directed to be paid, in Manner aforesaid.

IV. PROVIDED also, That if the said THOMAS SHIRLEY shall happen to die before any of the

the Days or Times of Payment abovementioned, then and in that Case, the Executors or Administrators of the said *THOMAS SHIRLEY* shall be intitled to have, receive, and take, and the Treasurer or other Officer is hereby authorized and directed to pay unto them or any of them, such Money as shall then be due, to the Time that he shall survive the half-yearly Day of Payment next immediately preceding the Time of his Death, any Thing herein before contained to the contrary thereof notwithstanding.

V. AND be it further Enacted, by the Authority aforesaid, That immediately from and after the Publication of this Act, every Owner, Possessor, or Renter of any Negro or other Slave or Slaves within this Island, shall be chargeable, and is hereby charged, with the Payment of One Shilling, current Money, in Gold or Silver Money only, for every Negro or other Slave which he, she, or they shall be severally Owner, or Possessors, or Renters of, to be raised, collected, and paid in Manner and Form, and for and during such Time and Term as by this Act are hereinafter limited and appointed; that is to say, The said Sum of One Shilling, current Money, in Gold or Silver Money only, for every Negro or other Slave, by two equal half-yearly Payments, to be computed from the Twenty-third Day of *July* last past; the first Payment whereof to be made on the Twenty-third Day of *January* next ensuing, and the second Payment on the Twenty-third Day of *July* next following; which said Sum of One Shilling, current Money, for every Negro or other Slave, is to be paid Yearly and every Year during the Continuance of this Act.

VI. AND to the End that a just and true List and Account may be taken of all and every the Negroes and other Slaves within the said Island, Be it further Enacted, by the Authority aforesaid, That all and every the Owners, Possessors, or Renters of Negroes and other Slaves, and in their Absence from the Island, the Managers or Overseers of such Slaves, shall deliver to the respective Person or Persons herein named, on or before the Tenth Day of *January* next ensuing, at such Places as by their respective Precepts, under their respective Hands and Seals, shall for that Purpose direct and appoint, a true and exact List or Account, upon Oath, of all and every the Slaves of which he, she, or they are Owners, Possessors, or Renters, or which are in the Management or Overseeing of such Managers or Overseers, at the Time prescribed for delivering in such List or Account; which Oath the said Persons hereinafter appointed to take and receive such Lists or Accounts, and every of them, is and are hereby empowered, authorized, and required to administer: And if any Owner, Possessor, or Renter, Manager or Overseer, shall neglect or refuse to deliver in such List or Account, upon Oath, after the issuing such Precept as aforesaid, and Notice thereof left at his, her, and their Places of Abode, by the Constable in each respective Parish, such Person or Persons so neglecting or refusing, shall forfeit and pay the Sum of Fifty Pounds, current Money of this Island, to be recovered and applied in Manner as hereinafter mentioned and declared.

VII. AND be it further Enacted, by the Authority aforesaid, That the several Persons in and by this Act nominated and appointed to take the Lists of Negroes and other Slaves respectively, in the different Parishes of this Island, shall, Four Days at least before such Poll is to be taken, issue their Warrants under their Hands and Seals, or under the Hand and Seal of either of them, directed to a Constable of each of the said Parishes, ordering him to summons all and every such Owner, Possessor, or Renter of Negroes or other Slaves, and in their Absence from the Island, the Managers or Overseers of such Slaves, to appear on the Day appointed, and at the Time affixed by the said Warrant, to give in such Lists of Negroes and other Slaves; and the Constable is hereby directed to return a List of all such Persons as he hath summoned on the Day before such Poll is to be taken, under the Penalty of Ten Pounds, current Money, for every such Neglect, to be recovered and applied as hereinafter is directed: And the said Constable shall make Oath before one of the said Persons appointed by this Act to take such Lists in the said Parish, or such other Person or Persons as shall be hereafter appointed for that Purpose; which Oath such Persons are hereby empowered to administer, that the List by him returned is a true and complete List of all the Owners, Possessors, or Renters of Negroes or other Slaves in the said Parish; and the said Constables are empowered to receive from the Public of this Island as follows; The Constable of the Parish of *Saint George, Basseterre*, the Sum of Three Pounds, Six Shillings, current Money; the Constable of the Parish of *Saint Anne, Sandy-Point*, the Sum of Three Pounds, Six Shillings, current Money; and the Constables of the other Parishes, the Sum of Two Pounds, Ten Shillings, current Money, each, as a Reward for their Trouble and Care in serving the aforesaid Warrants; which several Sums the Treasurer of this Island for the Time being is hereby required to pay out of the Money arising by Virtue of this Act.

VIII. AND be it further Enacted, by the Authority aforesaid, That the Affidavit which such Constables shall give respectively of the Persons so summoned by them, shall be good and sufficient Proof in any Court of Record in this Island, for the Recovery of the Penalty laid and imposed by this Act, upon Persons refusing to give in List of

1781.

their Negroes or other Slaves, any Law, Custom, or Usage to the contrary thereof notwithstanding.

IX. AND be it further Enacted, by the Authority aforesaid, That the Honourable *Anthony Johnson*, *Webbe Hobson*, and *John Earle*, Esquires, or either of them, be and are hereby nominated and appointed to receive and take the said Lists in the Parish of Saint George, *Basseterre*; the Honourable *Archibald Esdaile*, *John Tyson*, and *William Davis*, Esquires, or either of them, be and are hereby appointed to receive and take the Lists in the Parish of Saint Peter, *Basseterre*; the Honourable *William Wells*, *William Beach*, and *Zacharias Bull*, Esquires, or either of them, be and are hereby appointed to receive and take the Lists in the Parish of Saint Mary, *Cayon*; the Honourable *Samuel Croke*, *Edmund Fleming Akers*, and *Aretas Akers*, junior, Esquires, or either of them, be and are hereby appointed to receive and take the Lists in the Parish of *Christ-Church, Nichola-Town*; the Honourable *Thomas Thomas*, *Thomas Caines*, and *Charles Caines*, junior, Esquires, or either of them, be and are hereby appointed to receive and take the List in the Parish of Saint John, *Capisterre*; the Honourable *Joseph Rawlins*, *Benjamin Clifton*, and *John Audain*, Esquires, or either of them, be and are hereby appointed to take the List in the Parish of Saint Paul, *Capisterre*; the Honourable *John Smith Thomas*, *John James Manchester*, and *Anthony William Somarsfall*, Esquires, or either of them, be and are hereby appointed to take the List in the Parish of Saint Anne, *Sandy-Point*; the Honourable *William Wharton*, *James George Verchild*, and *Stedman Rawlins*, junior, Esquires, or either of them, be and are hereby appointed to take the List in the Parish of Saint Thomas, *Middle-Island*; the Honourable *Anthony Johnson*, *William Mahon*, and *John Garnett*, Esquires, or either of them, be and are hereby appointed to take the List in the Parish of *Trinity, Palmetto-Point*; which said several Lists the said several Persons abovementioned are hereby required to return and deliver to the Treasurer of this Island for the Time being, or to such Person or Persons as he shall for that Purpose appoint, on or before the Fifteenth Day of *January* next ensuing.

X. AND be it further Enacted, by the Authority aforesaid, That the said Persons hereinbefore nominated are, and each and every of them is and shall be likewise enjoined and obliged by their several Precepts, under their respective Hands and Seals, to appoint a Place for receiving and taking the said Lists or Accounts of Slaves upon Oath, at least Four Days previous to the taking of the said Lists, Yearly and every Year, during the Continuance of this Act; and to return and deliver such said several Lists by them taken and received, to the Treasurer of this Island for the Time being, on or before the Fifteenth Day of *January*; and that the said several Persons appointed by this Act to take the said Lists, or those who shall hereafter be for that Purpose appointed, shall be, and are hereby obliged, to return upon Oath, taken before the next or any Justice of the Peace of this Island, to the said Treasurer, or other Person appointed by him to collect and receive the said Duties and Taxes, a true and exact Account of all Owners, Possessors, Renters, or Overseers of Negroes and other Slaves, who shall have refused or neglected to give in Lists upon Oath of all such Negroes and other Slaves as they are severally Owners, Possessors, Renters, or Overseers of, according to the Lists delivered to them by the Constable in each Parish respectively upon Oath, of the Names of the Persons summoned by him to give in the said Lists, under the Penalty of Fifty Pounds, current Money, for each Offence, to be recovered and applied as in and by this Act is declared.

XI. AND be it further Enacted, by the Authority aforesaid, That the said Treasurer, or other Officer by him appointed to collect and receive the said Duties and Taxes hereby imposed, shall, and is hereby obliged and authorized forthwith to prosecute all such Delinquent or Delinquents as are or shall be so returned to him, under the Penalty of Five Hundred Pounds, current Money, to be recovered and applied as in and by this Act is hereafter declared.

XII. PROVIDED always, and be it further Enacted, by the Authority aforesaid, That in Case of the Death, or Absence from this Island, of any of the Persons herein already nominated to take and receive such Lists as aforesaid, at the Time hereinbefore mentioned, then the Governor in Chief, or in his Absence the Commander in Chief upon this Island for the Time being, shall and may, and he is hereby authorized and empowered, by Warrant under his Hand and Seal, to appoint others in the Stead of such as are dead or absent, which said Persons, after their Appointment, shall be enjoined and obliged to follow the Directions of this Act, and upon every Neglect or Default so to do, shall be liable to the Penalty hereinabove contained, to be likewise recovered and applied as hereinafter mentioned.

XIII. AND for the more easy and speedy raising and collecting the said Duties or Taxes, be it further Enacted, by the Authority aforesaid, That the Treasurer for the Time being, shall, within the Space of Three Days next before the Day of each Payment, affix, or cause to be affixed, in every Parish of this Island, at the Church Door or other most conspicuous Place, Notice in Writing, and publish the same in the Public Gazette, that all

and

and every Person or Persons being Owners, Possessors, or Renters of Slaves, and in their Absence from the said Island, all Managers or Overseers of such Slaves, are required and enjoined on such Days of Payment, to come to such Place as the said Treasurer shall for that Purpose appoint, in the Town of *Basseterre*, to discharge and pay such said Taxes, according to the Lists of Negroes and other Slaves that shall be delivered to him by the several Persons by this Act before appointed to receive and take the same, and the said Treasurer is hereby required to act in the like Manner Yearly and every Year during the Continuance of this Act: And in Case any of the Persons abovementioned, should neglect or make Default in Payment of the said Taxes, on the Days for that Purpose above limited, then it shall and may be lawful to and for any Two Justices of the Peace for this Island, and they are hereby required, upon Oath made by the said Treasurer, or such Person as he shall appoint, to collect and receive the same (what Sum of Money is due and in Arrear from such Person or Persons so neglecting or making Default), under their Hands and Seals, to issue out a Warrant or Warrants, directed to the Provost Marshal of this Island, or his lawful Deputy, directing him forthwith to distrain on the Goods and Chattels, and for Want thereof, to levy upon the Lands and Tenements of such Person or Persons, sufficient to pay and satisfy such said Sum of Money so due and in Arrear; which said Goods and Chattels, Lands or Tenements, so distrained or levied upon, shall be sold within Six Days next after such Distress or Levy made, he rendering the Overplus, if any be, after deducting his reasonable and accustomed Fees and Charges, to the Owners of such said Goods and Chattels, Lands and Tenements: Provided always, That such Sale shall be made publicly in the Town or Place where the said Goods and Chattels, Lands or Tenements, shall be so distrained or levied upon, or in the next Town thereto, and in the Presence of Six White Persons at least, any Thing in this Act to the contrary notwithstanding.

XIV. AND be it Enacted, by the Authority aforesaid, That in Case the Provost Marshal, or his lawful Deputy, shall refuse or neglect to make such Distress or Levy in Ten Days after the aforesaid Warrant or Warrants shall be delivered to him by the Treasurer aforesaid, or such Person as he shall appoint, or shall refuse or neglect well and truly to pay to the Treasurer aforesaid, or such Person as he shall appoint, in Gold or Silver Money only, all such Sum or Sums of Money as he by such Warrant or Warrants shall have distressed or levied for, in Six Days after such Distress or Levy is made, for each and every such Refusal or Neglect, shall forfeit and pay the Sum of Five Hundred Pounds, current Money of this Island, to be recovered and applied as hereinafter is expressed and declared; and further, that the said Provost Marshal, or his lawful Deputy, their Heirs, Executors, Administrators, and Securities, shall not be discharged and acquitted, but they and every of them shall, to all Intents and Purposes, be liable to make good all Deficiencies proceeding from such Refusal or Neglect aforesaid, and also all such Fines and Forfeitures as the said Provost Marshal, or his lawful Deputy, shall in or by Virtue of this Act incur, any Thing herein contained to the contrary thereof notwithstanding.

XV. PROVIDED always, and be it Enacted, by the Authority aforesaid, That his Excellency *THOMAS SHIRLEY*, Governor in Chief in and over all his Majesty's Leeward *Charibbee* Islands be, and is hereby declared to be, wholly exempted and discharged from delivering a List or Account of his Negroes or other Slaves, and from all and every the Taxes, Duties, and Impositions herein and hereby laid and imposed, during the Continuance of this Act, any Thing herein before contained to the contrary thereof notwithstanding.

XVI. PROVIDED also, and be it further Enacted, by the Authority aforesaid, That it shall be lawful to and for the Council and Assembly of this Island to exempt and discharge from Payment of the Taxes by this Act laid and imposed, such Person or Persons as shall make appear to them that they are Poor, and unable to pay the same, any Thing herein contained to the contrary notwithstanding.

XVII. AND be it further Enacted, by the Authority aforesaid, That all and every the Sum or Sums of Money, which shall be collected and raised by Virtue of this Act, shall be applied and disposed of and for such Uses and Purposes as are hereinbefore declared and appointed; and the Residue thereof, if any be, shall be applied and disposed to and for the Repair, and keeping in Repair, the Fortifications, Forts, and Batteries of this Island, and towards defraying any other Public Expences: Provided nevertheless, that it shall and may be lawful to and for the Treasurer for the Time being, and he is hereby authorized and empowered, to deduct, receive, and take, to and for his own Use and Benefit, out of such Money as shall from Time to Time be raised and collected by Virtue of this Act, after the Rate of Five Pounds for every Hundred Pounds, and so in Proportion for any lesser Sum, any Thing in this Act contained to the contrary notwithstanding.

XVIII. AND be it further Enacted, by the Authority aforesaid, That if any Treasurer of this Island, at any Time or Times during the Continuance of this Act, shall neglect or delay, by himself or such Person as he shall appoint to collect and receive the said Taxes,

1781.

to apply to the Justices of the Peace aforesaid, in Ten Days after the Time and Times limited for the Payment of the said Taxes; for their Warrant or Warrants of Distress, against all and every Person who shall neglect or make Default in Payment of the same; or if he shall neglect or delay, by himself or such Persons appointed by him to deliver the said Warrant or Warrants of Distress to the Provost Marshal, or his lawful Deputy, Ten Days after the same is granted; or shall employ, convert, or dispose of any of the Money arising or to arise by Virtue of the same, to any other Uses and Purposes than such as in and by this Act are directed and appointed, excepting only his Poundage for collecting and receiving the same; or if he shall neglect or refuse, Yearly and every Year, or oftener if required, to lay before the Council or Assembly of this Island, or a Committee of both or either to be appointed, and render and give to them a just and regular Account of all and singular Receipts, Disbursements, and Dispositions of Money, arising by Virtue of the same, in Order to their being by them received and examined; the said Treasurer, his Heirs, Executors, Administrators, and Securities, shall not be discharged and acquitted, but he, they, and every of them shall, to all Intents and Purposes, be liable to make good the same, until such Times as his said Account shall have been viewed and examined in Manner aforesaid; and also in every and each of the said Cases, he shall forfeit and pay the Sum of Two Hundred Pounds, current Money of this Island, to be recovered and applied in Manner as is herein expressed and declared.

XIX. AND be it further Enacted, by the Authority aforesaid, That all and every the Penalties and Forfeitures in and by this Act laid and imposed, shall go and be disposed of in Manner following; that is to say, Two Third Parts thereof to His Majesty, his Heirs and Successors, for and towards the maintaining and keeping in Repair the several Fortifications, Forts, and Batteries of this Island; and the other Third Part thereof to such Person or Persons as shall inform or sue for the same; to be recovered in any of his Majesty's Courts of Record in this Island, by Action of Debt, Bill, Complaint, or Information, in which no Essoign, Protection, or Wager of Law, or any more than one Imparance shall be allowed.

XX. AND be it further Enacted, by the Authority aforesaid, That if any Action, Suit, or Information, shall be commenced or prosecuted against any Person or Persons for any Matter or Thing by him or them done, or caused to be done, in Pursuance or Execution of this Act, it shall and may be lawful to and for the Defendants in any such Action or Suit, to plead the General Issue, and give this Act and the Special Matter in Evidence, at any Trial thereupon to be had: And that the same may be done in Pursuance and by Authority of this Act, if it shall appear so to have been done, that then the Jury shall find for the Defendant or Defendants, and upon such Verdict; or if the Plaintiff or Prosecutor shall become nonsuited, or discontinue his said Action or Prosecution; or if upon Demurrer, or by Default, Judgment should be given against the said Plaintiff or Prosecutor, the said Defendant or Defendants shall or may recover Double Costs, which he or they shall have like Remedy for as any other Defendant or Defendants hath or have for Costs of Suit in any other Cases by Law.

XXI. AND be it further Enacted, by the Authority aforesaid, That this Act shall remain and be in Force for and during such Term as his Excellency THOMAS SHIRLEY shall continue to be his Majesty's Chief Governor of the said Leeward Charribbee Islands in America, and shall reside in his Government. Dated in Saint Christopher, this Twenty-first Day of December, in the Twenty-second Year of the Reign of our Sovereign Lord GEORGE the Third, by the Grace of God, of Great-Britain, France, and Ireland, King, Defender of the Faith, and so forth; and in the Year of our Lord One Thousand Seven Hundred and Eighty-one.

Read and passed the Assembly, the } ARETAS AKERS, { Read and passed the Council, the
20th Day of December, 1781. } Speaker. { 20th Day of December, 1781.
JA. WARD, Clk. of Assen. JNO. HENRY, Dep. Sec.

Assented to this 21st Day of December, 1781.

THOMAS



SHIRLEY.

Published in the Towns of Basseterre, Old-Road, and Sandy-Point, on Saturday the Twenty-second Day of December, in the Year of our Lord One Thousand Seven Hundred and Eighty-one.

HENRY BERKELEY, Dep. Prov. Marshal.

Recorded and Examined the Twenty-fourth Day of December, 1781.

JOHN HENRY, Dep. Sec.

No.

No. 249.

1781.

An Act for regulating and laying a Tax upon all Vintners and Retailers of Spirituous Liquors; for laying a Duty on Rum sold by Retail; for lessening the Number of Distillers; and for the more effectual Prevention and Discouragement of such Vintners and Retailers of Spirituous Liquors, from harbouring, entertaining, and concealing Soldiers, Sailors, and Negro and other Slaves. Expired.

No. 250.

1782.

An Act for raising a certain Sum of Money by a Duty or Tax of Twenty Shillings, current Money, per Poll on all Negroes and other Slaves; and the further Duty of Twenty Pounds in the Hundred Pounds on the yearly Value of Houses, Warehouses, Shops, and Tenements, in the several Towns within the said Island, for the Payment of the Public Contingencies of this Island. Expired.

No. 251.

An Act for the just, faithful, and speedy Performance of the 14th Article of the Capitulation of the Islands of Saint Christopher and Nevis, between his Excellency the Count de GRASSE, Commander of His Most Christian Majesty's Naval Forces; and his Excellency the Marquis de BOUILLE, Governor General of the French Windward Islands; and his Excellency THOMAS SHIRLEY, Esquire, a Major General in His Britannic Majesty's Army, and Governor of the Islands of Saint Christopher and Nevis; and THOMAS FRASER, Esquire, Brigadier General, commanding the Troops on Brimstone-Hill. Repealed by No. 259.

No. 252.

At the COURT at Saint JAMES's, the 11th of February, 1782.

P R E S E N T,

THE KING'S MOST EXCELLENT MAJESTY,

LORD PRESIDENT,
DUKE OF DORSET,
EARL OF DENBIGH,
EARL OF SANDWICH,
EARL OF HILLSBOROUGH,

VISCOUNT STORMONT,
VISCOUNT MOUNT EDGECUMBE,
VISCOUNT SACKVILLE,
LORD AMHERST,
MR. SECRETARY ELLIS.

WHEREAS the Governor of His Majesty's Leeward Charribbee Islands, with the Council and Assembly of the Island of Saint Christopher, one of the said Leeward Charribbee Islands, did in August, 1778, pass an Act which hath been transmitted, intituled as follows; viz.

"SAINT CHRISTOPHER's,

An Act for ratifying and confirming several Alterations and Amendments made in the King's Upper High Way, in the Parishes of Christ-Church, Nichola-Town, and Saint Mary, Cayon, in the Island of Saint Christopher; and for other Purposes therein mentioned": File this Act of length, No. 236.

Which Act having been perused and considered by the Lords Commissioners for Trade and Plantations, and by them presented to His Majesty, at this Board, as proper to be approved, His Majesty was thereupon this Day pleased, with the Advice of His Privy Council, to declare His Approbation of the said Act; and pursuant to His Majesty's Royal Pleasure thereupon expressed, the said Act is hereby Confirmed, finally Enacted, and Ratified accordingly; whereof the Governor, Lieutenant Governor, or Commander in Chief of His Majesty's said Leeward Charribbee Islands, the Council and Assembly of the said Island of

R r

Saint

1782.

Saint *Christopher*, and all others whom it may concern, are to take Notice and govern themselves accordingly.

W. FAWKENER.

Recorded and Examined the 13th Day of June, 1782.

JNO. HENRY, Dep. Sec.

No. 253.

Expired.

An Act for raising a certain Sum of Money, by a Duty or Tax of Eighteen Shillings, current Money, per Poll on all Negroes and other Slaves, belonging to Owners and Renters of Plantations within the said Island, for the Purpose of paying the Sum of Four Hundred and Fifty Joes per Month, agreeable to the Eighth Article of the Capitulation; and other Purposes therein mentioned.

1783.

No. 254.

Expired.

An Act for continuing an Act, intituled, An Act for raising a certain Sum of Money, by a Duty or Tax of Eighteen Shillings, current Money, per Poll on all Negroes and other Slaves, belonging to Owners and Renters of Plantations within the said Island, for the Purpose of paying the Sum of Four Hundred and Fifty Joes per Month, agreeable to the Eighth Article of the Capitulation; and other Purposes therein mentioned.

No. 255.

Repealed by
No. 259.

A Supplementary Act to an Act, intituled, An Act for the just, faithful, and speedy Performance of the Fourteenth Article of the Capitulation of the Islands of Saint Christopher and Nevis, between his Excellency the Count de GRASSE, Commander of his Most Christian Majesty's Naval Forces; and his Excellency the Marquis de BOUILLE, Governor General of the French Windward Islands; and his Excellency THOMAS SHIRLEY, Esquire, a Major General in His Britannic Majesty's Army, and Governor of the Islands of Saint Christopher and Nevis; and THOMAS FRASER, Esquire, Brigadier General, commanding the Troops on Brimstone-Hill.

No. 256.

Set forth at
length in No.
261, but since
expired.

An Act for establishing a Court of Sessions of the Peace, to be held in and for this Island.

No. 257.

Private, and set
forth at length
in No. 261.

An Act for the Encouragement of the Reverend Temple Henry Croker, in his new Invention of Horizontal Wind Mills for grinding Sugar Canes; and for preserving the Benefit of such Invention to the said Temple Henry Croker, for a limited Term therein mentioned.

No.

No. 258.

1783.

An Act to prevent the cutting off or depriving any Slaves in this Island of any of their Limbs or Members; or otherwise disabling them.

This Act having passed during the French Government, was confirmed and continued, with others, and set forth at length in No. 261.

No. 259.

An Act to repeal an Act, intituled, An Act for the just, faithful, and speedy Performance of the Fourteenth Article of the Capitulation of the Islands of Saint Christopher and Nevis, between his Excellency the Count de GRASSE, Commander of his Most Christian Majesty's Naval Forces; and his Excellency the Marquis de BOUILLE, Governor General of the French Windward Islands; and his Excellency THOMAS SHIRLEY, Esquire, Major General in his Britannic Majesty's Army, and Governor of the Islands of Saint Christopher and Nevis; and THOMAS FRASER, Esquire, Brigadier General commanding the Troops on Brimstone-Hill; and for raising a Fund instead of the remaining Part of the Fund raised by that Act; and for other Purposes hereinafter mentioned.

This Act having passed during the French Government, was confirmed and continued, with others, and set forth at length in No. 261.

No. 260.

An Act for the further Continuance of an Act, intituled, An Act for raising Money, by a Duty or Tax of Eighteen Shillings, current Money, per Poll on all Negroes and other Slaves, belonging to Owners and Renters of Plantations within the said Island, for the Purpose of paying the Sum of Four Hundred and Fifty Joes per Month, agreeable to the Eighth Article of the Capitulation; and other Purposes therein mentioned.

Expired.

No. 261.

1784.

An Act for establishing and ratifying certain Acts made by the Governor, Council, and Assembly of this Island, during the late Subjection thereof to the Crown of France.

“ WHEREAS this Island of Saint Christopher, being of right Part of the Dominions and Territory of the Crown of Great-Britain, was during the late War, (to wit) on the 12th Day of February, 1782, unfortunately reduced by Hostile Force, under the Authority of the French King, and continued in his Possession and Government, until by Virtue of the late Treaty of Peace, it was on the 9th Day of January last past, happily restored to its former Constitutional Dependency on the Crown and Government of Great-Britain: And whereas during the said Period, divers Acts were passed by the Legislature of this Island, as the same was at that Time constituted and convened, by and under the Authority of the said French King and his Governors, which said Acts being of a just and salutary Tendency, are worthy to be retained and enforced: And whereas the following among other Acts, or pretended Acts, were during the said Period so Enacted; (to wit) An Act intituled, “ *An Act for establishing a Court of Sessions of the Peace to be held in and for this Island*”: An Act intituled, “ *An Act for the Encouragement of the Reverend Temple Henry Croker, in his new Invention of Horizontal Wind-Mills for grinding Sugar Canes; and for preserving the Benefit of such Invention to the said Temple Henry Croker, for a limited Time therein mentioned*”: An Act intituled, “ *An Act to prevent the cutting off or depriving any Slaves in this Island of any of their Limbs or Members, or otherwise disabling them*”: And an Act intituled, “ *An Act to repeal an Act, intituled, An Act for the just, faithful, and speedy Performance of the Fourteenth Article of the Capitulation of the Islands of Saint Christopher and Nevis, between his Excellency Count de GRASSE, Commander of his Most Christian Majesty's Naval Forces; and his Excellency the Marquis de BOUILLE, Governor General of the French Windward Islands; and his Excellency THOMAS SHIRLEY, Esquire, a Major General in his Britannic Majesty's Army, and Governor of the Islands of Saint Christopher and Nevis; and THOMAS FRASER, Esquire, Brigadier General commanding the Troops on Brimstone-Hill; and for raising a certain Fund instead of the remaining Part of the Fund raised by that* “ Act;

Preamble, reciting

the Title of the Sessions Act:

of Mr. Croker's Act for erecting Horizontal Wind Mills:

of the Act against maiming, &c. of Slaves:

of the Act to carry into Effect the 14th Article of the Capitulation:

1784.

The aforesaid
Act is set
forth at length.

Sessions Act
(since expired).

"Act; and for other Purposes hereinafter mentioned": which said several Acts respectively follow in these Words; (to wit)

An Act for establishing a Court of Sessions of the Peace to be held in and for this Island.

Sessions of the
Peace to be held
twice a Year in
Basseterre, on the
third Tuesday in
October and Jan-
uary.

Justices to have
the same Juris-
diction as the
Quarter Sessions
in England.

Venire Facias to
issue 8 Days be-
fore the holding
Court for sum-
moning a Jury.

How, and from
whom Jurors
to be summoned.

Each Juror mak-
ing Default, to
forfeit £.5; and
if he departs the
Court after he is
sworn, and before
the Verdict is
delivered, to for-
feit £.10 & suf-
fer 3 Months
Imprisonment.

The Marshal to
summon Cor-
oners, Constables,
and Way-War-
dens, to attend
every Court Day.
To forfeit £.20
in Case of Neg-
lect in either.

Constables to be
appointed in Oc-
tober;
and any Person
refusing to serve
as such to forfeit
£.20, to be lev-
ied, &c.

For want of Dis-
tress Delinquent
to suffer 20 Days
Imprisonment in
Common Gaol.

Constables not
obliged to serve
for 2 Years suc-
cessively.

Constable refus-
ing or neglecting
to obey the Or-
ders of the Court
to forfeit £.10.
If there be not
sufficient Dis-
tress to be im-
prisoned
for 10 Days.

Justice of Peace
refusing or neg-
lecting to attend
the Court, unless
disabled by Sick-
ness, or Absence
from the Island,
or other suffi-
cient Excuse, to
forfeit £.66.

Not to extend to
Judges of King's
Bench and Com-
mon Pleas.

Fines to be paid
to the Treasurer
for the Use of the
Public.

WHEREAS it is absolutely necessary for the Administration of Criminal Justice, that a Court of Sessions, for the Trial of Misdemeanours and Breaches of the Peace, should be held in and for this Island: For the establishing thereof, be it, and it is hereby Enacted, by the Commander in Chief of the Islands of Saint Christopher and Nevis, by and with the Advice and Consent of the Council and Assembly of the Island of Saint Christopher, and by the Authority of the same, That there shall be a Court of Sessions of the Peace held twice in every Year for this Island, by the Justices thereof, in the Town of Basseterre; that is to say, on the Third Tuesday in the Month of October, and the Third Tuesday in the Month of January, in each Year; which Court shall be held by Five Justices at the least, and shall have Jurisdiction to hear and determine all such Matters and Offences as are usually cognizable by the Court of Quarter Sessions in England, and to whose Rules and Practice the Court shall conform itself in all Cases as near as may be.

II. AND be it further Enacted, by the Authority aforesaid, That Eight Days before the holding of each Court, a *Venire Facias* shall issue under the Hands and Seals of some Two Justices of the said Island, directed to the Provost Marshal, or his lawful Deputy, commanding him to summon a Jury of good and sufficient Men of the said Island, to appear and serve as Jurors at the said Court; viz. such as do or shall reside to the Eastward of the Gut commonly called or known by the Name of *Nichola-Town Gut*, on the Windward Side of the said Island, and to the Eastward with the Westernmost River of the Town of *Old-Road*, on the Leeward Side, shall be obliged to appear one Court; and such as do and shall reside to the Westward of the said *Nichola-Town Gut*, and Westernmost River of the Town of *Old-Road*, at the other Court, beginning with the Eastward District in the Month of October, and so keeping their Turns alternately; and that every Person summoned as a Juror, and not appearing, shall forfeit and pay the Sum of Five Pounds, current Money; and likewise, if any Juror depart after he is sworn, before Verdict is delivered, he shall forfeit and pay Ten Pounds, current Money, and suffer Three Months Imprisonment, and another shall be sworn in his Room.

III. AND be it further Enacted, by the Authority aforesaid, That the Provost Marshal, or his lawful Deputy, shall summon all Coroners, Constables, and Way-Wardens, to attend every Court Day hereinbefore appointed; and in Case of Refusal or Neglect, they shall be liable each to pay the Penalty of Twenty Pounds, current Money, for each Default.

IV. AND be it further Enacted, by the Authority aforesaid, That the Justices of the said Court to be held for the Month of October in each Year, shall, and are hereby directed to appoint such and so many Persons in each and every Parish in this Island, to serve as Constables for the ensuing Year, as shall be necessary; And every Person so appointed, and who shall refuse to take upon himself the said Office, shall forfeit the Sum of Twenty Pounds, current Money; to be levied by Warrant under the Hands and Seals of any Five of the said Justices, by Distress and Sale of such Delinquents Goods and Chattels, Lands or Tenements; and for Want of sufficient Distress, the said Delinquent shall suffer Twenty Days Imprisonment in the Common Gaol of this Island.

V. PROVIDED always, and it is hereby further Enacted, by the Authority aforesaid, That no Person shall be compelled to act in the Office of Constable for Two Years successively, any Thing herein before mentioned to the contrary notwithstanding.

VI. AND be it further Enacted, by the Authority aforesaid, That whenever any Constable of this Island shall refuse or neglect to obey the Orders of the Court, and shall be legally convicted thereof, such Constable shall forfeit and pay the Sum of Ten Pounds, current Money; and in Case of Refusal or Disability to pay the same, such Constable shall be committed to the Common Gaol of this Island for the Space of Ten Days.

VII. AND be it further Enacted, by the Authority aforesaid, That every Justice of the Peace who shall refuse or neglect to attend the Court, unless disabled by Sickiness, or Absence from the Island, or unless he make such Excuse to the Court then sitting, or to the next Court, as shall be approved of by a Majority of the Justices that shall compose the Court, shall forfeit the Sum of Sixty-six Pounds, current Money, to be recovered by Warrant under the Hand and Seal of the presiding Justice at the next Court.

VIII. PROVIDED always, and it is hereby Declared, That nothing in this Act shall be construed to extend to or affect the Judges of his Majesty's Court of King's Bench and Common Pleas, who are hereby declared incapable of sitting at the said Court of Sessions.

IX. AND be it further Enacted, by the Authority aforesaid, That all Fines and Forfeitures hereby imposed, shall be paid to the Treasurer of this Island, for the Use of the Public.

Public thereof; And that this Act shall continue and be in full Force for the Space of Three Years from the Publication, and from thence to the first Meeting of the next Assembly. Dated in Saint Christopher, the Fourth Day of October, One Thousand Seven Hundred and Eighty-three.

Read and passed the Assembly, the 16th Day of September, 1783. } JOHN GARNETT, Speaker. } Read and passed the Council, this 2d Day of October, 1783. }
JA. WARD, Clerk of Assen. } THOMAS WALL, Dep. Sec.

CAMILLE CHARLES L. S. D E F R E S N E.

An Act for the Encouragement of the Reverend Temple Henry Croker, in his new Invention of the Horizontal Wind Mills for grinding Sugar Canes; and for preserving the Benefit of such Invention to the said Temple Henry Croker, for a limited Time therein mentioned.

“ WHEREAS the said Temple Henry Croker, hath represented, that he hath projected and invented a Method of making or constructing a Wind-Mill to grind Sugar Canes, which will be more serviceable, more convenient, less liable to Casualties, and less expensive in the Construction, and keeping the same in Repair, than any hitherto made Use of, which Invention the said Temple Henry Croker is willing to make Public, for the Good and Advantage of the Proprietors and Renters of Sugar Plantations: To the End, therefore, that the said Temple Henry Croker may receive due encouragement for such Disclosure, and a proper Reward for his Invention, Be it Enacted, by the Commander in Chief of the Islands of Saint Christopher and Nevis, and by and with the Advice and Consent of the Council and Assembly of the Island of Saint Christopher, and by the Authority of the same, That the said Temple Henry Croker, his Executors, Administrators, and Assigns, shall have the sole Licence, Right, Power, and Benefit, of making, erecting, and building Wind-Mills for grinding Sugar Canes, after the Manner by him invented and projected, for the Space of Fourteen Years, to commence from and immediately after the Publication of this Act: And that if any Person or Persons whatsoever, during the Time hereby limited, shall presume to make, frame, erect, or build, in the whole any such Wind-Mill for grinding Sugar Canes, after the Manner, and upon the Plan of the Wind-Mill so invented by the said Temple Henry Croker; or who shall make, frame, erect, or build in Part any such Wind-Mill for the grinding of Sugar Canes, by varying, adding to, or diminishing from the original Plan of the said Projection and invented Wind-Mill of the said Temple Henry Croker; or if any Person or Persons shall hire or employ any Mechanic, Mill-wright, or any Person whatsoever, to make, frame, build, or erect in the whole or in any Part, by varying, adding to, or diminishing from the original Plan or Invention of the said Temple Henry Croker, any Wind-Mill for the grinding Sugar Canes, after the Manner, and upon the Plan of the said Wind-Mill so invented by the said Temple Henry Croker; or who shall make Use of any Part of such Invention of the said Temple Henry Croker, in erecting or building any Wind-Mill in the said Island of Saint Christopher, without Permission or Licence, in Writing first had and obtained, from the said Temple Henry Croker, his Executors, Administrators, or Assigns, Then every such Person or Persons, for whom and for whose Benefit such Wind-Mill shall be erected and built, as the Person or Persons who shall be hired and employed to do and perform the mechanical or working Part of such Wind-Mill, shall respectively forfeit and pay to the said Temple Henry Croker, his Executors, Administrators, or Assigns, for every such Offence, the Sum of One Thousand Pounds, current Money of this Island; to be recovered in any Court of Record in this Island, wherein no Essoign, Wager of Law, or more than one Imparance shall be allowed.

II. AND be it further Enacted, by the Authority aforesaid, That such Person or Persons who shall or may apply to the said Temple Henry Croker, his Executors, Administrators, and Assigns, for any Licence or Licences, mentioned in this Act, to erect and build a Wind-Mill or Wind-Mills, upon the Plan or after the Invention of the said Temple Henry Croker, his Executors, Administrators, or Assigns, the Sum of Fifty Pounds, current Money, and no more, for each Licence, with Instructions of the Principles of the Invention and Plan of such Wind-Mill, so to be obtained; and the said Temple Henry Croker, his Executors, Administrators, or Assigns, shall accept and take such Sum of Fifty Pounds, current Money, as a full Compensation for each respective Licence so to be granted in Manner aforesaid, with Instructions of the Principles of the Invention and Plan of such Wind-Mill; upon Payment, or Tender and Refusal by the said Temple Henry Croker, his Executors, Administrators, and Assigns, the said Sum of Fifty Pounds, the same shall be and is hereby deemed to acquit and discharge such Person or Persons, so paying or tendering the same, from the Penalties hereinbefore imposed; and such Person or Persons may thereupon

1784
To continue in Force for Three Years, &c.

Mr. Croker's Plan

Mr. Croker, his Executors, &c. to have the sole Right of erecting Wind-Mills after the Manner of his Invention, for 14 Years, from the Publication of this Act. Any Person making, framing, &c. such Wind-Mill upon Mr. Croker's Plan,

or hiring any Person to make, frame, &c. in this Island,

without a Licence first obtained from Mr. Croker, his Executors, &c. every such Person so offending, to forfeit & pay to Mr. Croker, his Executors, &c. for every such Offence, £.1000 current Money.

Such Person who shall apply to Mr. Croker for his Licence to build his Mill, shall receive it upon paying to Mr. Croker £.50 current Money, and no more.

Any Person tendering or paying £.50, to be discharged from the Penalty, and

may thereupon erect such Wind-

1784.

Mill without a
by Penalty.

erect and build such Wind-Mill, so invented by the said *Temple Henry Croker*, as aforementioned, without incurring any of the Penalties in this Act mentioned; any Thing herein contained to the contrary notwithstanding. Dated in Saint *Christopher*, the Fifth Day of December, in the Year of Our Lord One Thousand Seven Hundred and Eighty-three.

Read and passed the Assembly, the }
20th Day of August, 1783. }

JAMES WARD, Clerk of Assen.

Passed the Council, the 20th Day
of August, 1783.

THOMAS WALL, Dep. Sec.

CAMILLE CHARLES L. S. DE FRESNE.

The Act against
maiming, &c.
Negro and other
Slaves.

Preamble.

Any Owner or
Possessor of a
Slave cutting out
&c. the Tongue;
putting out an
Eye; slitting the
Nose, Ear, or Lip;
or cutting off a
Nose, Ear, or Lip;
or causing it to
be done; or break-
ing or causing
to be broken the
Arm, Leg, or any
other Limb or
Member of any
Slave in this Is-
land, to forfeit
£.500, current
Money, and be
imprisoned Six
Months; If Of-
fender has not
sufficient to pay
forfeiture to suf-
fer 12 Months
Imprisonment;
Half of the For-
feiture to the per-
son informing,
the Remainder
to the Treasurer.
Any Person wil-
fully cutting or
disabling, or cau-
sing the same to
be done, the
Tongue; put out
an Eye; slit the
Nose or Lip; cut
off a Nose, Ear,
or Lip of any Ne-
gro or other Slave
or causing it to be
done; or break-
ing a Leg, Arm,
or other Limb,
&c. shall pay
£500. & suffer
Six Months
Imprisonment;
For want of suf-
ficient Means to
pay Penalty, to
suffer 12 Months
Imprisonment.
Penalties how
disposed.

If any Slave shall
at any Time ap-
pear with his
Tongue cut out,
&c. and no Per-
son convicted of
having done it,
the Marshal to
put such Negro
in Gaol: If the
Owner does not
within 60 Days
after Publication
made of such
Slave being tak-
en up, prove on
Oath before a
Magistrate, that
he did not cut out
the Tongue, &c.
such Negro Slave
shall be forfeited
for the Use of the
Public, and the
Marshal to sell
such Slave in
Basseterre, with-
in 6 Days after
the Expiration
of the 60 Days;

An Act to prevent the cutting off or depriving any Slaves in this Island of any of their Limbs or Members; or otherwise disabling them.

“ WHEREAS some Persons have of late been guilty of cutting off or depriving Slaves
“ of their Ears, which Practice is contrary to the Principles of Humanity, and
“ dishonourable to Society;” For Prevention whereof in future, Be it Enacted, by the
Governor in Chief of the Islands of Saint *Christopher* and *Nevis*, and the Council and
Assembly of the Island of Saint *Christopher*; That if any Owner or Possessor of any Negro
or other Slave in this Island, shall wilfully and wantonly cut out or disable, or cause or
procure to be cut out or disabled, the Tongue; put out, or cause or procure to be put out, an
Eye; slit the Nose, Ear, or Lip; or cut off a Nose, Ear, or Lip; or cause the same to be done;
or break, or cause to be broken, the Arm, Leg, or any other Limb or Member, of any
Negro or other Slave in this Island; such Owner or Possessor shall, on due Conviction
thereof in any Court of Record in this Island, forfeit and pay the Sum of Five Hundred
Pounds, current Money, and suffer Six Months Imprisonment in the Common Gaol of this
Island; and for Want of sufficient to pay the same, shall suffer Twelve Months Imprison-
ment in the Common Gaol of this Island; one Half of such Forfeiture to be paid to any
Person who shall give Information of the Offence, the other Half to the Treasurer of this
Island.

II. AND be it further Enacted, by the Authority aforesaid, That any Person who shall
wilfully and wantonly cut and disable, or cause and procure to be cut out and disabled,
the Tongue; put out, or cause or procure to be put out, an Eye; or slit the Nose, Ear, or
Lip; or cut off a Nose, Ear, or Lip, of any Negro or other Slave, or cause or procure the
same to be done; or cut off any Limb or Member of any Negro or other Slave, or cause or
procure the same to be done; or break, or cause to be broken, the Arm, Leg, or any other
Limb of any Negro or other Slave not belonging to such Person; such Person so offending
shall, on due Conviction thereof in any Court of Record in this Island, forfeit and pay the
Sum of Five Hundred Pounds, current Money of the said Island, and suffer Six Months
Imprisonment in the Common Gaol of this Island; and for Want of sufficient to pay the
same, shall suffer Twelve Months Imprisonment; one Half of such Forfeiture to the Owner
of such Negro or other Slave, the other Half to be paid to the Public Treasurer.

III. AND be it further Enacted, by the Authority aforesaid, That in Case any Negro or
other Slave should at any Time have his Tongue cut out or disabled; his Eye put out; his
Nose, Ear, or Lip slit; his Nose, Ear, or Lip, or any Limb or any other Member cut off; or
any Limb or Member broken, in this Island, and no Person or Persons have been convict-
ed of being guilty of such Offence, the Provost Marshal, or his lawful Deputy, is hereby
directed to apprehend such Negro or other Slave, and confine him, her, or them in the
Common Gaol: And in Case the Owner of such Negro or other Slave shall not within
Sixty Days, after Publication made by the Provost Marshal, or his lawful Deputy, in the
Public News-papers in this Island, of his having taken up and confined in the Common
Gaol, such Negro or other Slave, prove upon Oath before any Magistrate of this Island,
either by himself or some credible Witness, that he did not wilfully cut out or disable the
Tongue; put out the Eye; slit the Nose, Ear, or Lip; or any Limb or Member of any such
Negro or other Slave, or cause the same to be done; such Negro or other Slave shall be
forfeited for the Use of the Public of this Island; and the Provost Marshal, or his lawful
Deputy, is hereby directed to sell such Negro or other Slave at Public Sale in the Town of
Basseterre, in the Presence of Six White Persons at the least, within Six Days after the Ex-
piration of the Term herein before allowed to Owners to make Oath as aforesaid, of their
Innocence: And the said Provost Marshal, or his lawful Deputy, is hereby directed to
pay all such Monies as such Negro or other Slave shall have been sold for, into the Public
Treasury of this Island, after deducting the Charges and Expences attending the appre-
hending, confining, and selling such Negro or other Slave as aforesaid; and the Sale of the
Provost Marshal, or his lawful Deputy, shall give good Title to any Purchaser of such Negro
or

or other Slave: Provided always, That nothing hereinbefore contained shall prevent Owners and others from suffering the Pains and Penalties hereinbefore directed to be inflicted, whenever such Owner or other Persons shall be convicted of any of the Offences hereinbefore mentioned.

IV. AND be it Enacted, by the Authority aforesaid, That all such Forfeitures as are before directed to be paid into the Public Treasury of this Island, shall remain for the Use of the Public thereof, to be paid and applied as the Legislature shall direct. Dated in Saint Christopher, this Eighteenth Day of December, in the Year of our Lord One Thousand Seven Hundred and Eighty-three.

Read and passed the Assembly, the
28th Day of November, 1783.

J. A. WARD, Clk. of Assen.

JOHN GARNETT, {
Speaker.

Read and passed the Council, the
28th Day of November, 1783.

THOMAS WALL, Dep. Sec.

1784.
the Monies for which such Slave shall be sold to be paid into the Treasury; Marshal's Sale a good Title to the Purchaser; Persons committing the last-mentioned Offences, to suffer the Pains and Penalties of this Act, when discovered. Penalties paid into the Treasury, to be for the Use of the Public.

CAMILLE CHARLES L. S. DE FRESNE.



An Act to repeal an Act, intituled, An Act for the just, faithful, and speedy Performance of the Fourteenth Article of the Capitulation of the Islands of Saint Christopher and Nevis, between his Excellency Count de GRASSE, Commander of His Most Christian Majesty's Naval Forces; and his Excellency the Marquis de BOUILLE, Governor General of the French Windward Islands; and his Excellency THOMAS SHIRLEY, Esquire, a Major General in his Britannic Majesty's Army, and Governor of the Islands of Saint Christopher and Nevis; and THOMAS FRASER, Esquire, Brigadier General commanding the Troops on Brimstone-Hill; and for raising a Fund instead of the remaining Part of the Fund raised by that Act; and for other Purposes hereinafter mentioned.

The Act for carrying into Effect the 14th Article of the Capitulation.

WHEREAS an Act intituled, *An Act for the just, faithful, and speedy Performance of the 14th Article of the Capitulation of the Islands of Saint Christopher and Nevis, between his Excellency the Count de GRASSE, Commander of His Most Christian Majesty's Naval Forces; and his Excellency the Marquis de BOUILLE, Governor General of the French Windward Islands; and his Excellency THOMAS SHIRLEY, Esquire, a Major General in His Britannic Majesty's Army, and Governor of the Islands of Saint Christopher and Nevis; and THOMAS FRASER, Esquire, Brigadier General, commanding the Troops on Brimstone-Hill; hath in a Variety of Matters been found ineffectual for answering the Purposes therein and thereby designed, and doth not extend to that full and general Relief of the Persons who suffered during the Siege of this Island, which was thereby intended, inasmuch as the Relief stated in and afforded by the said Act, has been through Mistake confined to Brimstone-Hill, and its Vicinity: Be it, and it is hereby Enacted, by the Authority of his Most Christian Majesty's Governor of the Islands of Saint Christopher and Nevis, for the Time being, and the Council and Assembly of the Island of Saint Christopher, That the said Act, and every Part and Clause thereof, is hereby repealed; and that from and after the Publication of this Act, the said Law hereby repealed, meant, mentioned, or intended to be repealed, shall cease, determine, and be utterly, to all Intents and Purposes, and Constructions whatsoever, null and void.*

Preamble

No. 251 repealed in this Section.

II. PROVIDED nevertheless, That the present Treasurer the Honourable William Wharton, and his lawful Deputy, or the Person or Persons who have acted under him, in Pursuance of the said Act hereby repealed, meant, mentioned, or intended so to be, shall be, and they are hereby guaranteed and indemnified in all their Transactions and Payments done, performed, paid, or transacted by Virtue of the Directions of the last mentioned Act hereby repealed, or meant, mentioned, or intended to be repealed; and he and they are hereby forever exonerated and discharged in their Persons, Goods, Chattels, Lands, and Tenements, of and from all and all Manner of Actions, Suits, and Demands whatever, to be moved or instituted by any Person or Persons whatsoever, for or on Account of such Transactions and Payments hereinbefore mentioned, save and except that the said Treasurer shall always be subject to have his Accounts examined and considered of by the Council and Assembly of this Island, nor shall he stand acquitted of the Penalties inflicted in the before mentioned Act, in Case of Refusal to such Examination and Consideration, any Thing hereinbefore contained to the contrary notwithstanding.

Treasurer & his lawful Deputy, indemnified for all their Transactions under Act No. 251.

save that his Accounts shall be examined by Council and Assembly.

III. AND whereas upon a just, fair, and equitable Revision and Review of the Accounts of the Losses of several of the Sufferers, upon mature, cool, candid, and dispassionate Deliberation, wherein the Contributors and Sufferers were equally considered, it appears that the following Persons hereinafter named, are fairly, justly, and equitably entitled to receive Recompences for their Losses during the Siege, the several Sums hereinafter set forth; That is to say, Somarsfall and Son, Seventeen Thousand and Thirty-four Pounds, one Shilling,

Persons enumerated who are entitled to Recompence;

Somarsfall & Son

ling,

1784.

John Garnett;
Henry Hart;
Stedman RawlinsWilliam Mathew
Burt;

Charles Farrill;

Mary Scholtz;

John Smith Tho-

mas;

Benjamin Amory;

Sir Patrick Blake;

William Woodley;

John Geagan;

John Clarke;

Lumley Woodyear;

Thomas Paget;

John Amory;

Ralph Willett;

William Crooke;

William Wells;

Patrick Burke;

Hubert Guichard

Mercer;

Henry Berkeley;

Stafford Amory;

James, Alexan-

der, & Robert

Douglas;

John Conyers;

James Phipps;

James Verchild;

Charles Caines,

sen.

Edward Parsons;

Charles Caines,

jun.

Peter Mathew

Mills;

David Nesbit;

George & Charles

Leigh;

James Delaney;

John Brown;

Brown & Burke;

Constantine

Phipps;

William Tyson.

ling, and One Penny, Farthing, Three Hundred and Eighty-nine Pounds, Three Shillings; *John Garnett*, Three Hundred and Ninety-five Pounds, Eighteen Shillings; *Henry Hart*, One Hundred and Twenty-seven Pounds; *Stedman Rawlins*, Twenty-eight Thousand Eight Hundred and Twenty-eight Pounds, Three Shillings, and Nine Pence; Estate of *William Mathew Burt*, Two Thousand Three Hundred and Twenty-four Pounds, Six Shillings, and Four Pence, Half-penny; *Charles Farrill*, Three Hundred and Sixty-eight Pounds; *Mary Scholtz*, One Hundred and Sixty-eight Pounds, Twelve Shillings; *John Smith Thomas*, Three Hundred and Sixty Pounds, Three Shillings; *Benjamin Amory*, Six Hundred and Fifty Pounds, Eighteen Shillings; *Sir Patrick Blake*, Three Thousand Eight Hundred and Fifty-eight Pounds, Fifteen Shillings, and Ten Pence, Half-penny; *William Woodley*, (Greenland) Two Hundred and Fifty-five Pounds; *John Geagan*, Twenty-eight Pounds, One Shilling; Heirs of *John Clarke*, Twenty-five Pounds, Ten Shillings; *Lumley Woodyear*, Sixty-eight Pounds, Three Shillings; *Thomas Paget*, Eighty-eight Pounds, Eight Shillings, and Six Pence; *John Amory*, Three Hundred and Seventy-three Pounds, Eight Shillings, and Nine Pence; *Ralph Willett*, Five Hundred and Seventy-nine Pounds; *William Crooke*, Seven Hundred and Twenty Pounds, Nineteen Shillings, and One Penny, Half-penny; *William Wells*, Twelve Thousand Nine Hundred and Ninety-four Pounds, Five Shillings; *Patrick Burke*, Six Thousand and Thirteen Pounds, Seventeen Shillings; *Hubert Guichard Mercer*, Six Hundred and Seventy-two Pounds, Seventeen Shillings; *Henry Berkeley*, Sixty-six Pounds; *Stafford Amory*, Two Hundred and Fifty-six Pounds, Thirteen Shillings, and Ten Pence; *James, Alexander, and Robert Douglas*, Eight Hundred and Twenty-two Pounds, and Six Pence; Estate of *John Conyers*, Seventeen Hundred and Four Pounds, Six Shillings; Estate of *James Phipps*, Four Hundred and Thirty-one Pounds; Estate of *James Verchild*, One Thousand and Fifty-eight Pounds, ten Shillings, and Ten Pence; *Charles Caines, senior*, One Hundred and Thirty-six Pounds; Estate of *Edward Parsons*, Two Hundred and Twenty-six Pounds; *Charles Caines, junior*, One Hundred and Forty-five Pounds, Ten Shillings; Estate of *Peter Mathew Mills*, One Thousand Five Hundred and Sixty-four Pounds, Five Shillings; *David Nesbit*, Two Hundred and Eighty-one Pounds, Eighteen Shillings; *George and Charles Leigh*, One Thousand Ninety-two Pounds, Four Shillings; *James Delaney*, Seventy-four Pounds, Ten Shillings; *John Brown*, One Hundred and Thirty-nine Pounds; *Brown and Burke*, Three Hundred and Ninety-one Pounds, Eight Shillings; *Constantine Phipps*, One Thousand and Ten Pounds, Seventeen Shillings; and *William Tyson*, Three Hundred and Eighteen Pounds.

Accounts of the
Sufferers not all
examined,

but those whose
Names are not
inserted, intitled
to Payment as if
herein named:
Treasurer to pay
Sufferers when
their Accounts
pass, the same as
if their Names
were here insert-
ed.

Treasurer to de-
duct from the a-
bove Accounts
passed, or to be
passed, such Sums
as he might have
already paid to
each.

Persons, whose
Names are here-
inbefore insert-
ed, never here-
after to be intit-
led to any Claim
for Losses during
the Siege.

IV. AND whereas it has not been possible to examine and pass the Accounts of all such Sufferers as sustained any Loss during the Siege, occasioned by the Shortness of the Session of the Assembly; Be it further Enacted, That all such Sufferers, whose Names are not herein before inserted, shall be equally entitled with such Sufferers, whose Names are inserted in this Bill, to Satisfaction and Indemnity, in the same Manner as if they had actually been herein named: And the Treasurer of this Island, or his lawful Deputy, shall, and is required, to pay all such Sufferers, in the same Manner, and in such Proportions directed to be paid to such Sufferers, whose Names are herein inserted, after the Accounts of such Sufferers have passed the Council and Assembly in this Island, in the present or any future Session of any future Assembly.

V. AND whereas, according to the Directions of the before-mentioned Act, hereby repealed, the Sufferers, or the major Part of them, have received a Proportion of their Losses; Be it further Enacted, by the Authority aforesaid, That the said Treasurer, or his lawful Deputy, is hereby directed, in the Payment of the Accounts of the several Sufferers herein before mentioned, to deduct from the Amounts of such Accounts, such Sums as have been already paid to such Sufferers aforesaid; the Accounts hereinbefore inserted and hereby intended to be intitled to the Claims and Benefits granted by this Act, being the full and compleat Amount of the Losses of the said Sufferers, without any Deduction whatever: And no Person whose Names are hereinbefore inserted, claiming Compensation for any Losses sustained during the Siege, shall ever hereafter be entitled to any Claim or Demand against the Public of this Island, save and except what is hereinbefore particularly granted, allowed, and admitted, as the whole of the Losses the said several Sufferers sustained during the Siege.

VI. AND whereas the Legislature of the said Island, actuated as well by a Desire of faithfully performing the Articles of the Capitulation, as of rendering that competent Relief to their Fellow-Citizens which they in the same Situation would expect; but with as much Care to their Constituents, considering their distressed Circumstances, and the Loss of Crops this Year, both as to Manner and Time of Payment as possible, at the same Time giving and granting unto the said Sufferers, and such other Sufferers whose Accounts may pass the present or any future Assembly, and have the Concurrence of the Council; a full, fixed, and permanent Security for the Reimbursement of their Losses, with Interest for the same until paid; have cheerfully, voluntarily, and willingly, and the respective Members of each Branch of the Legislature unanimously, and with one Voice, without any other

Inducement;

Inducement than the Principles of Justice, and their own free Will and Accord, have agreed to raise a Fund for such Reimbursement, in Manner and Form as hereinafter set forth; For which Purposes, Be it, and it is hereby Enacted, by the Authority aforesaid, That the Persons hereinbefore named, and such other Sufferers whose Accounts may pass the present or any future Assembly, and have the Concurrence of the Council, shall be considered, and are hereby made and declared Creditors of the Public of this Island, for the respective Sums of Money so as aforesaid due to them, and each of them, and as may hereafter be found due to any of them, and as such, they, and each of them, until paid, are hereby granted and allowed Interest on their respective Demands, at and after the Rate of Eight Pounds for every Hundred Pounds by the Year, to commence and be calculated from the Fifteenth Day of July, One Thousand Seven Hundred and Eighty-two, upon the whole Amount of the several Sufferers Accounts: And the Treasurer of this Island, or his lawful Deputy, is hereby authorized and required to allow the said Sufferers hereinbefore mentioned, and to such other Sufferers, whose Accounts may pass the present or any future Assembly, and have the Concurrence of the Council, Interest at the Rate aforesaid, and pay the same out of the Fund raised, or intended to be raised, by this Act, regularly and annually, when and as often as One Year's Interest shall become due on the said Principal of any such Sufferer or Sufferers.

VII. AND be it further Enacted, by the Authority aforesaid, That immediately from and after the Publication of this Act, every Owner, Possessor, or Renter of any Negro or other Slave or Slaves within this Island, shall be chargeable, and he is hereby charged with the Payment of Five Pounds, Ten Shillings, current Money, for every Negro or other Slave which he, she, or they shall be severally Owners, Possessors, or Renters of, to be raised, collected, and paid in Manner and Form, and at the respective Times as by this Act are hereinafter limited and appointed, for Payment of the same; that is to say, the Sum of Forty Shillings, current Money, per Poll on all Negroes and other Slaves, on or before the Fifteenth Day of July, now next ensuing, and which will be in the Year of our Lord One Thousand Seven Hundred and Eighty-four; the Sum of Forty Shillings, of like current Money, per Poll on all Negroes and other Slaves, to be paid on or before the Fifteenth Day of July, One Thousand Seven Hundred and Eighty-five; and the further Sum of Thirty Shillings, current Money, per Poll on all Negroes and other Slaves, to be paid on or before the Fifteenth Day of July, One Thousand Seven Hundred and Eighty-six.

VIII. AND be it further Enacted, by the Authority aforesaid, That immediately from and after the Publication of this Act, every Owner, Possessor, or Renter, of any House, Warehouse, Shop, Store, or Tenement, situate in any of the Towns of *Basseterre, Old-Road, or Sandy-Point* (and the Property itself,) shall be charged, and is hereby made chargeable and charged with the Payment of Twenty-seven Pounds, Ten Shillings, current Money, for every Hundred Pounds by the Year, on the Yearly Value of any House, Warehouse, Shop, Store, or Tenement, situate in any of the said Towns, which he, she, or they shall be severally Owners, Renters, or Possessors of; to be raised, collected, and paid in Manner and Form, and at the Times for that Purpose hereinafter mentioned; that is to say, the Sum of Ten Pounds, current Money, for every Hundred Pounds by the Year, on the Yearly Value of any House, Warehouse, Shop, Store, or Tenement, on the Fifteenth Day of July, now next ensuing, and which will be in the Year of our Lord One Thousand Seven Hundred and Eighty-four; the Sum of Ten Pounds, current Money, on the Yearly Value of any House, Warehouse, Store, or Tenement, on the Fifteenth Day of July, One Thousand Seven Hundred and Eighty-five; and the Sum of Seven Pounds, Ten Shillings, on the Yearly Value of any House, Warehouse, Shop, Store, or Tenement, on the Fifteenth Day of July, One Thousand Seven Hundred and Eighty-six.

IX. AND whereas in the present distressed Situation of this Island, many of the Inhabitants may not be able to pay the said Taxes hereby laid and imposed, at the several Times herein mentioned; For the Ease of such Inhabitants, be it further Enacted, by the Authority aforesaid, That any of the Inhabitants shall and may give unto the Treasurer of this Island, a Bond or Obligation, with such Security as shall be approved of by the Treasurer, conditioned for the Payment of such Sum or Sums of Money that may become due and payable from them, on Account of the Taxes hereinbefore imposed, payable within Three Years after the Date of such Bond or Obligation, with lawful Interest for the same, either in Cash, Sugar, or Rum, agreeable to the Directions of this Act; which Bond or Obligation the Treasurer is hereby bound to receive and take as a present Satisfaction for such Tax or Taxes: And the said Treasurer is hereby authorized and empowered to assign over to such Sufferer or Sufferers, such Bonds or Obligations, together with all Right and Title accruing therefrom, to such Sufferers as shall have been entitled to receive Payment for their Losses, in Case such Persons, so giving their Bonds or Obligations, as aforesaid, should have actually made Payment of their several Taxes and Duties, any thing hereinbefore contained to the contrary in any wise notwithstanding.

1784.

Persons whose Accounts for Losses have passed, or shall pass, declared to be Creditors of the Public, for the Sums which their Accounts amount to: Interest allowed, until paid, at the Rate of 8l. per Cent. to commence 15th July, 1782. Treasurer to allow Interest in his Payments;

to be paid annually out of the Fund raised by this Act.

Every Owner, Renter, or Possessor of Slaves, charged with the Payment of £. 5 10s. Current Money, for each Slave;

to be paid, viz.

40s. on or before the 15th July, 1784; and 40s. on or before the 15th July, 1785; and

30s. on or before the 15th July, 1786.

Every Owner, Renter, or Possessor of a House, Shop, Warehouse, Store, or Tenement, in *Basseterre, Old-Road, or Sandy-Point*, (and the Property itself) charged with the Payment of £. 27 10s. currency, on the yearly Value.

£. 10 to be paid on the 15th July, 1784;

£. 10 on the 15th July, 1785;

£. 7 10s. currency, on the 15th July, 1786.

Persons subject to the Payment of this Tax, may give Bond to the Treasurer, with such Security as he shall approve,

payable in Three Years after date, with Interest, in Cash, Rum, or Sugar;

Treasurer bound to take Bond as a present Satisfaction.

Treasurer authorized to assign such Bond to a Sufferer, who must receive the same.

1784.

Any Person may pay the whole of his Tax at once; and upon such Payment, Treasurer to allow a Discount.

Treasurer to discount with a Sufferer his Taxes out of the Amount for which his Account passed, agreeable to the Rate settled by this Act (17th Sec.) and not beyond it. If any Person pays the whole of his Taxes hereby imposed, on the 15th July, 1784, Treasurer may discount such Taxes from his Losses, if they amount to so much. All Owners, &c. of Slaves, or their Attornies, &c. shall deliver, on or before the 1st April, 1784, and on or before 1st April, 1785 and 1786,

a List of all the Slaves, which they own, rent, or possess, &c. Parents, Trustees, Guardians, Executors, and Administrators, to do the same upon Oath: If Owner, &c. &c.

refuses or neglects to deliver such List upon Oath, forfeits for each Neglect or Refusal £.100 currency; and

over and above such Forfeiture, is charged with the Payment of double Tax on all his Slaves.

Persons appointed to take Lists, to issue their Warrants 4 days before the List is to be taken, under Hands and Seals, to the Constable of each Parish, commanding him to summon all Owners, &c. &c. to appear at a certain Day, to give a List of their Slaves; Constable to return a List of all Persons summoned, the Day before the Poll; in Default forfeits £.100 currency: Constable to make Oath, that the List is a true & complete one, of such Persons as he summoned; Constable to receive for serving Warrant for *Basseterre*, £.3 6s. *Sandy-Point*, £.3 6s. for the other Parishes, £.3.

X. AND be it further Enacted, by the Authority aforesaid, That any Persons liable to any of the Taxes laid and imposed by this Act, shall and may, if they think proper, pay the whole of the Taxes hereinbefore laid and imposed, and the Treasurer is hereby empowered to receive the same, and to allow such Person at and after the Rate of Eight Pounds per Cent. Discount on such Sum or Sums of Money, such Person shall pay as aforesaid, in full Discharge of his said Taxes, any Thing hereinbefore contained to the contrary thereof in any-wise notwithstanding.

XI. AND be it further Enacted, by the Authority aforesaid, That the Treasurer is hereby authorized and empowered to discount with any Sufferer or Sufferers, as much of the said Sufferer or Sufferers Taxes, as will amount to the Sum which he, she, or they are intitled to receive from the Public of this Island, agreeable to the Proportion rated and settled, in like Manner as by this Act is directed; and no Sufferer shall be allowed or authorized, on any Account whatever, to discount more than such Proportion, agreeable to the Distribution directed to be made by Virtue of this Act: Provided always, That where any Person shall pay the whole Amount of the Taxes herein imposed, at the first Payment, on the Fifteenth Day of July next, the Treasurer is hereby authorized and empowered to discount with such Sufferer the whole Amount of such Taxes, in Payment of their Losses, provided they amount to that Sum.

XII. AND to the End that a just and true List and Account may be taken of all and every the Negroes and other Slaves within this Island, Be it further Enacted, by the Authority aforesaid, That all and every the Owners, Possessors, or Renters of Negroes, and in their Absence, the Attorney, Managers, or Overseers, Parent, Trustee, Guardian, Executor, or Administrator of such Slaves, shall deliver to the respective Persons hereinafter named, on or before the First Day of April, now next ensuing, and on or before the First Day of April, in each and every Year, during the Term and Continuance of this Act, at such Places as they by their several Precepts, under their respective Hands and Seals, shall for that Purpose from Time to Time direct and appoint, a true and exact List and Account of all and every the Slaves of which he, she, or they are Owners, Possessors, or Renters of, or which are in the Management or Overseering of such Attorney, Managers, or Overseers, Parent, Trustee, Guardian, Executor, and Administrator, at the Time prescribed for delivering in such Lists or Account; which Oath the said Persons hereinafter appointed to take and receive such Lists or Accounts, and every one of them, is hereby empowered, authorized, and required to administer: And if any Owner, Possessor, or Renter, Attorney, Manager, or Overseer, Parent, Trustee, Guardian, Executor, or Administrator, at any Time, shall neglect or refuse to deliver in such List or Account upon Oath, after issuing such Precept as aforesaid, and Notice thereof given by the Constable in each respective Parish, such Person or Persons so refusing or neglecting, shall forfeit and pay for each Neglect, the Sum of One Hundred Pounds, current Money of this Island; and such Owner, Renter, or Possessor, Attorney, Manager, Overseer, Parent, Trustee, Guardian, Executor, or Administrator, for each Neglect shall, over and above the said Sum of One Hundred Pounds, be liable to pay, and he is hereby made charged and chargeable with double the Tax on all Negroes and other Slaves which he, she, or they possessed, at the Time of such Neglect, and which he was bound hereby to pay at the next ensuing Day of Payment or Instalment; to be recovered and applied in Manner as hereinafter mentioned and declared.

XIII. AND be it further Enacted, by the Authority aforesaid, That the several Persons in and by this Act nominated and appointed to take the Lists of Negroes and other Slaves respectively, in the different Parishes of this Island shall, Four Days at least before such Poll is taken, issue their Warrant, under their Hands and Seals, or under the Hand and Seal of either of them, directed to the Constable of each of the said Parishes, ordering him to summon all and every such Owner, Possessor, or Renter of Negroes or other Slaves, and in their Absence from the Island, the Attorney, Managers, or Overseers, and Parent, Trustee, Guardian, Executor, and Administrator of such Slaves, to appear on the Day appointed, and at the Time affixed by the Warrant, to give in such Lists of Negroes and other Slaves; And the Constable is hereby directed to return a List of such Persons as he hath summoned, on the Day before such Poll is to be taken, under the Penalty of Ten Pounds, current Money, for every such Neglect; to be recovered and applied as hereinafter is directed: And the said Constable shall make Oath before one of the Persons appointed by this Act to take such Lists in the said Parish, or such other Person or Persons as shall hereafter be appointed for that Purpose, which Oath such Person or Persons is or are hereby empowered to administer, That the List by him returned, is a true and compleat List of all such Persons as he had summoned, in the said Parish; and the said Constables are empowered to receive from the Public of this Island as follows: The Constable of the Parish of Saint George, *Basseterre*, the Sum of Three Pounds, Six Shillings, current Money; the Constable of the Parish of Saint Ann, *Sandy-Point*, the Sum of Three Pounds, Six Shillings, current Money; and the Constables of the other Parishes, the Sum of Three Pounds, current Money

Money each, as a Reward for their Trouble and Care in serving the aforesaid Warrants; which several Sums the Treasurer of this Island for the Time being, is hereby required to pay out of the Money arising by this Act.

XIV. AND be it further Enacted, by the Authority aforesaid, That the Honourable *Anthony Johnson*, *John Tyson*, and *Thomas Tuskett*, Esquires, or either of them, be and are hereby nominated and appointed to take the List in the Parish of Saint *George*, *Basseterre*, and to assess the Houses therein situate; the Honourable *Archibald Esdaile*, *William Davis*, and *John Earle*, Esquires, or either of them, be and are hereby appointed to receive and take the said List in the Parish of Saint *Peter*, *Basseterre*; the Honourable *William Wells*, *Zacharias Bull*, and *William Beach*, Esquires, or either of them, be and are hereby appointed to take the said Lists in the Parish of Saint *Mary*, *Cayon*; the Honourable *Thomas Thomas*, *William M' Tair*, and *John Bryan*, Esquires, or either of them, be and are hereby appointed to receive and take the List in the Parish of *Christ-Church*, *Nichola-Town*; the Honourable *Stedman Rawlins*, *Charles Caines*, senior, and *Charles Caines*, junior, Esquires, or either of them, be and are hereby appointed to take the List in the Parish of Saint *John*, *Capisterre*; the Honourable *John Smith Thomas*, *William Wallwin*, and *David Nesbit*, Esquires, or either of them, be and are hereby appointed to take the List in the Parish of Saint *Paul*, *Capisterre*; the Honourable *William Wharton*, *William Stephens*, and *Charles Farrill*, Esquires, or either of them, be and are hereby appointed to take the List in the Parish of Saint *Ann*, *Sandy-Point*, and to assess the Houses therein situate; the Honourable *Anthony Johnson*, *Stedman Rawlins*, junior, and *John Titley*, Esquires, or either of them, be and are hereby appointed to take the List for the Parish of Saint *Thomas*, *Middle-Island*, and to assess the Houses in the Town of *Old-Road*, in the said Parish; the Honourable *Archibald Esdaile*, *Henry Hart*, and *George Garnett*, Esquires, or either of them, be and are hereby appointed to take the List in the Parish of *Trinity*, *Palmetto-Point*; which said several Lists, the said several Persons are hereby required to return and deliver to the said Treasurer of this Island for the Time being, or to such Persons as he shall for that Purpose appoint, on or before the Tenth Day of *April* next ensuing.

XV. AND be it further Enacted, by the Authority aforesaid, That the said Persons hereinabove nominated, are, and each and every of them is, and shall be likewise enjoined and obliged by their several Precepts, under their respective Hands and Seals, to appoint a Place for taking and receiving the said Lists or Accounts of Slaves upon Oath, at least Four Days before the First Day of *April* Yearly and every Year, during the Continuance of this Act, and to return and deliver such said several Lists and Assessments, by them taken and received, to the Treasurer of this Island for the Time being, on or before the Tenth Day of the same Month; and that the said several Persons taking such Lists, or those who shall hereafter be for that Purpose appointed, be, and are hereby obliged, to return upon Oath, taken before the next or any Justice of the Peace of this Island, to the said Treasurer, or other Person appointed by him, to collect and receive the said Duties and Taxes, a true and exact Account of all Owners, Possessors, Renters, Managers, or Overseers, Parents, Guardians, Trustees, Executors, and Administrators of Negroes or other Slaves, who shall have refused or neglected to have given in Lists, upon Oath, of all such Negroes and other Slaves, as they are severally possessed of in their Capacities aforesaid, to the Lists delivered to them by the Constable in each Parish respectively, upon Oath, of the Names of the Persons summoned by him to give in the said Lists, under the Penalty of One Hundred Pounds, current Money, for each Offence; to be recovered and applied as in and by this Act is declared.

XVI. AND be it further Enacted, by the Authority aforesaid, That it shall be lawful to and for the Council and Assembly of this Island, to exempt and discharge from Payment of the Taxes by this Act laid and imposed, all such Persons as they shall judge ought not to pay the same, any Thing herein contained to the contrary notwithstanding: And if any Person or Persons, after Demand made by the Treasurer, shall refuse or neglect to pay the several Rates and Taxes in Ten Days after such Demand made, then, upon Oath first made of the same, before the President of the Island for the Time being, by the Treasurer, or any Person by him appointed to collect the said Taxes, it shall and may be lawful for such President, and he is hereby required, to issue a Warrant under his Hand and Seal, directed to the Provost Marshal, or his lawful Deputy, commanding him to levy upon, and in Ten Days after such Levy, to sell sufficient of the Goods and Chattels, Lands and Tenements, of such Defaulter or Defaulters, wherewith to discharge what shall appear by him or them to be respectively due, for their said Taxes, together with all Charges attending such Levy and Sale: Provided always, That the said Sale shall be made by the Provost Marshal, or his lawful Deputy, publicly in the next of the Towns to the Place where such Levy shall have been made, in the Presence of Six White Persons at the least: And if such Defaulter or Defaulters shall not have any Goods, Chattels, Lands, or Tenements, which may be levied upon, sufficient to pay such Taxes, and the accruing Costs; then the said Provost Marshal,

1784

To be paid by Treasurer.

The Names of Persons appointed to take the Lists in the several Parishes of *St. George*, *Basseterre*;*St. Peter*, *Basseterre*;*St. Mary*, *Cayon*;*Christ Church*, *Nichola-Town*;*St. John*, *Capisterre*;*St. Paul*, *Capisterre*;*St. Ann*, *Sandy-Point*;*St. Thomas*, *Middle-Island*;*Trinity*, *Palmetto-Point*.A Place to be named in the Warrant for taking List or Negroes, Four Days before the 1st *April* yearly.Lists to be delivered to the Treasurer on or before the 10th Day of *April*.

Persons taking Lists, to return upon Oath to the Treasurer, the Names of all Owners, &c. who shall have refused or neglected to have given in upon Oath, their Slaves, in their respective Capacities.

Council and Assembly may exempt Persons from paying their Taxes.

Any Person refusing to pay Taxes within 10 Days after Demand; Upon Oath made of such Refusal, before the President; the President is to issue his Warrant to the Marshal, commanding him to levy upon, and in Ten Days after Levy, to sell the Goods, &c. of Defaulter, to satisfy the Taxes. Sales to be made publicly in Town in Presence of 6 white Persons. If there be not sufficient to pay Taxes, Marshal to confine Defaulter.

OR

1784.

ter in the com-
mon Gaol until
Taxes shall be
paid.

Marshal to re-
ceive 6s. for exe-
cuting Warrant.

Sugar or Rum
may be paid in
Discharge of
Taxes,

at a fair Valua-
tion.

If the Value set
is not approv'd of
by the Parties,

an Umpire to be
called, to finally
settle the same.

Treasurer to ap-
point proper A-
gents in the se-
veral Towns.

Sugar and Rum
to be paid to suf-
ferers for their
Losses, at apprai-
sed Value.

Payments in
Cash, Sugar, or
Rum, to be made
in the several
Towns, and in
the several Years
1784, 1785, and
1786, between
the 1st May and
15th July in
each Year.

Agents of the
Treasurer ap-
pointed to re-
ceive Rum and
Sugar, exempted
from Attendance
on Courts, and
all Public Duty.

Treasurer to pay
what he receives
for Taxes within
Ten Days after
Receipt, in equal
Proportions to
the Sufferers, un-
less where this
Act directs the
contrary.

The Oath to be
taken by Constables
serving War-
rants.

The Oath to be
taken by every
Person attending
to give a List of
Negroes.

or his lawful Deputy, shall take into his Custody, the Body or Bodies of such Defaulter or Defaulters, and him, her, or them in the Common Gaol of this Island safely detain and keep, without Bail or Mainprize, until he, she, or they have paid the same, or every Part thereof: And the said Provost Marshal, or his lawful Deputy, shall, for the Execution of every such Warrant, or Matter done in Pursuance thereof, have and receive the Sum of Six Shillings, and no more, for every such Person mentioned in such Warrant.

XVII. AND whereas it may be burthensome and oppressive to the Inhabitants of this Island, to pay the Amount of the said Losses in Specie, Be it, and it is hereby further Enacted, That the Payment of the Taxes aforesaid, may be made in Cash, Sugar, or Rum, at the Option of the Person or Persons liable to pay the same, at the Places hereinafter appointed: And in all Cases of Payment in Sugar or Rum, the Person appointed, in Manner hereinafter mentioned, to receive the same, shall put a fair Valuation upon such Sugar and Rum, and upon the Cask or Casks containing the same, at the Time of the Receipt thereof: And in Case the said Value shall not be deemed a fair and equitable one, either by the Party paying or receiving the same; then and in such Case, it shall and may be lawful for the Persons so paying the said Sugar or Rum, and for the said Receiver, each to call in one disinterested Person, to value and appraise the same; and in Case the said Appraisers should differ in Opinion respecting the Value thereof, then and in such Case, they are directed to call in an Umpire, for the Purpose of finally adjusting and fixing the Value: And the Person appointed as hereinafter mentioned, to receive the Taxes aforesaid, shall be obliged, and is hereby authorized and directed to have proper Agents or Deputies at the several Towns mentioned in this Act; and such Sugar and Rum shall and may be paid over by the Person appointed to receive the same, to the Persons intitled to receive Payment under the Fourteenth Article of the Capitulation, and agreeable to this Act, at the same appointed and appraised Value.

XVIII. AND be it further Enacted, That the said Payments to be made in Cash, Sugar, or Rum, shall be made in the Towns of *Basseterre, Old-Road, Sandy-Point, and Deep-Bay*, in the Three several and respective Years One Thousand Seven Hundred and Eighty-four; One Thousand Seven Hundred and Eighty-five; and One Thousand Seven Hundred and Eighty-six; between the First Day of the Month of *May*, and the Fifteenth Day of *July*, in each respective Year.

XIX. AND be it further Enacted, by the Authority aforesaid, for the Benefit and Ease of the Inhabitants of this Island paying and receiving such Sugar and Rum, That the Receiver, and his several Deputies, shall be, and they are hereby exempted from attending their Duty at the Courts of King's Bench and Common Pleas, which may be held in this Island, and from all Public Duty whatsoever, during the Time fixed by this Act for receiving the Sugar and Rum aforesaid.

XX. AND be it further Enacted, by the Authority aforesaid, That the Person appointed in Manner hereinbefore mentioned, for the Receipt of the Taxes, by Virtue of this Act, is hereby required, within Ten Days after the Receipt of all or any of the Rates and Taxes hereby imposed, to pay the same to the several Persons intitled to the Receipt thereof, in equal Proportions, according to the Amount of the Losses and Damages sustained by such Persons as aforesaid; save and except when and wherever this Act shall require and direct the contrary.

XXI. AND for the Prevention of Frauds, in summoning the several Persons made subject to the Taxes herein imposed, and in giving in the several Lists as directed by this Act; Be it further Enacted, by the Authority aforesaid, That the Constables appointed to summon the several Persons as aforesaid, shall take the following Oath; viz.

I A. B. do swear, That I have summoned the several Persons, whose Names are above-written, to give in a List of all such Negroes and other Slaves, of which they are Owners, Renters, or Possessors; and of all such Negroes or other Slaves, belonging to any Person or Persons, for whom they are Attornies, Managers, or Overseers; or which they possess, or have the Direction, Care, Controul, or Management of, as Parent, Trustee, Guardian, Executor, or Administrator; as I am directed by Warrant, under the Hand and Seal of to me directed: And I do further swear, That I have not omitted, wilfully or knowingly, to summon any Person or Persons, under the aforementioned Description, within this Parish.

So help me God.

And every Person attending to give in a List of Negroes and other Slaves, according to the Directions of this Act, shall take the following Oath; viz.

I C. D. do swear, on the Holy Evangelists of Almighty God, That Slaves is a true and faithful Return of all that I either own, rent, or possess, either in my own Right, or in the Right of any Person whatsoever, for whom I am Attorney, Manager, or Overseer; or which I possess,

or

or have the Direction, Care, Controul, or Management, Parent, Trustee, Guardian, Executor, or Administrator; And I have not at any Time since the Publication of an Act, intituled, "An Act to repeal an Act, intituled, *An Act for the just, faithful, and speedy Performance of the Fourteenth Article of the Capitulation of the Islands of Saint Christopher and Nevis, between his Excellency Count de GRASSE, Commander of his Most Christian Majesty's Naval Forces; and his Excellency the Marquis de BOUILLE, Governor General of the French Windward Islands; and his Excellency THOMAS SHIRLEY, Esquire, a Major General in his Britannic Majesty's Army, and Governor of the Islands of Saint Christopher and Nevis; and THOMAS FRASER, Esquire, Brigadier General commanding the Troops on Brimstone-Hill; and for raising a Fund instead of the remaining Part of the Fund raised by that Act; and for other Purposes therein mentioned,*" collusively made over or given to any Person or Persons whatever, any Slave or Slaves; neither have I manumitted or set free any Slave or Slaves since such Publication, in Order to prevent or evade the Payment of the present Tax.

So help me God.

XXII. AND be it further Enacted, by the Authority aforesaid, That if at the Expiration of this present Act, any Surplus should remain in the Hands of the Treasurer of this Island, of any of the Taxes raised by Virtue hereof; that the said Surplus shall be applied to the Use of the Public, according to the Orders and Directions of the Council and Assembly of this Island: And in Case the said Treasurer shall apply any of the Monies arising by Virtue of this Act, to any other Use or Purpose whatsoever, than is hereby directed and declared, he shall be liable to make good the Deficiency, and for every such Offence forfeit and pay the Sum of One Thousand Pounds, current Money, over and above such Deficiency; to be recovered and applied as in and by this Act is directed.

XXIII. AND be it Enacted, by the Authority aforesaid, That the Treasurer of this Island, in Case of his Refusal or Neglect to perform the several Duties enjoined and imposed by Virtue of this Act, shall forfeit and pay, for every such Refusal or Neglect, the Sum of Five Hundred Pounds, current Money of this Island; to be recovered before any of the Justices of the Court of King's Bench and Common Pleas; and to be levied by Warrant of Distress on his proper Goods and Chattels; and when levied, to be applied to the Use of the Public of this Island.

XXIV. AND be it further Enacted, by the Authority aforesaid, That the Person appointed as aforesaid, for the Receipt of the said Taxes, and Payment of the said Claims, shall keep exact and faithful Accounts of all such Receipts and Payments; one Copy whereof he shall deliver to the Commander in Chief of the said Island; one other Copy thereof to the Council; and one other Copy thereof to the Assembly of this Island, on or before the First Day of December, in each respective Year aforesaid. Dated in Saint Christopher, this Eighteenth Day of December, in the Year of our Lord One Thousand Seven Hundred and Eighty-three.

Read and passed the Assembly, the } JOHN GARNETT, { Read and passed the Council, the
15th Day of December, 1783. } Speaker. { 15th Day of December, 1783.
JA. WARD, Clk. of Assen. THOMAS WALL, Dep. Sec.

CAMILLE CHARLES L. S. DE FRESNE.

"AND whereas all the said Acts, or pretended Acts, above recited and set forth, are highly equitable and expedient, and calculated to promote the Welfare of His Majesty's faithful Subjects, the People of this Island": May it please Your Most Excellent Majesty, that it may be Enacted; And be it, and it is hereby Enacted, by the King's Most Excellent Majesty, by and with the Advice and Consent of the Governor in Chief of all his Majesty's Leeward Charribbee Islands in America, and the Council and Assembly of this Island, That all and every of the said Acts, or pretended Acts, above recited and set forth, and every Clause, Proviso, Exception, Reservation, and every other Matter and Thing in them and every one of them contained, shall stand, and be in Force, and effectual; and that the same shall be, and be taken to be, and to have been, from the Time of their respective Dates, as valid, legitimate, and binding, to all Intents and Purposes, as if they and every one of them had been then first Enacted by the present lawful and undoubted Authority.

II. AND be it further Enacted, by the Authority aforesaid, That no Judgments, Verdicts, Decrees, Convictions, or Sentences, which have been given, made, or awarded; nor any Actions, Suits, Writs, or Executions, sued out, had, or depending; nor any other Actings, Doings, or Proceedings whatever, judicial, ministerial, or otherwise, under the said Acts, or pretended Acts, or either of them, by Virtue of their or either of their Authority, shall be reversed, annulled, abated, discontinued, or in any-wise impeached or avoided,

Any Surplus remaining after Payment of all the Losses, to be Public Money; to be disposed of by Council and Assembly.

If the Treasurer shall apply any of the Sums raised by this Act, to any other Purpose than hereby directed, he shall make good Deficiency, and forfeit £.1000 current Money.

Treasurer refusing or neglecting any of the Duties enjoined by this Act, to forfeit for each Offence, £.500 current Money, to be recovered by Warrant of Distress.

Treasurer to keep an Account of Receipts & Payments; to deliver a Copy to the Commander in Chief, the Council & Assembly, on or before first December, in each Year.

All the aforesaid Acts to be in force from their respective Dates.

Any Judgments, Verdicts, Decrees, &c. given under the aforesaid Acts,

not to be reversed, annulled, &c.

1784.

Upon Pretence
that they were
not made by
lawful Authority.

voided, by Reason that the said Acts, or pretended Acts, or either of them, were made by an unlawful or insufficient Authority, but that the said Judgments and Proceedings, and all other the Premises shall be valid, effectual, and binding, to all Intents and Purposes whatsoever.

No Judge, Justice, &c. to be prosecuted, &c. for any Thing done in Execution of the said Acts.

Indemnified from all Penalties, &c.

If any Person shall be sued for any Thing done &c. may plead the General Issue, and give this Act in Evidence.

Parties not deprived of lawful Remedy for Wrongs committed under Colour of the said Acts.

III. AND be it further Enacted, by the Authority aforesaid, That no Judge, Justice, or Treasurer of this Island, Provost Marshal, or his Deputy, Constable, or other Officer, nor any other Person or Persons whatsoever, shall be prosecuted, sued, troubled, or molested, for or on Account of any Act, Proceeding, Matter, or Thing, by them or any of them, had, done, or suffered, in Execution of the said Acts, or either of them, or in Obedience to, or by Authority of the same, but shall be, and hereby are acquitted, and indemnified, and discharged, of and from all Penalties, Forfeitures, Damages, Claims, and Demands whatsoever, which they or any of them may have incurred, or to which they may be exposed or liable, in Consequence of any such Act, Proceeding, Matter, or Thing: And if any of the said Officers, or any other Person or Persons, shall be sued or prosecuted for any such Cause, contrary to the true Intent and Meaning of this Act, it shall and may be lawful to and for him or them to plead the General Issue, and on the Trial of such Suit or Prosecution, to give this Act in Evidence; and the same shall be as valid and available, as if it had been specially pleaded and alledged in Bar of such Suit or Prosecution: Provided always, That nothing herein contained shall be construed to deprive any Party aggrieved or damnified of his lawful Remedy, for any Wrong or Injury committed under Colour of the said Acts, or pretended Acts, or either of them; nor to warrant any Proceedings or Actings, save only such as have been fairly and justly had under the said Acts, or pretended Acts, according to the Tenor, and true Intent and Meaning thereof, any Thing hereinbefore contained to the contrary notwithstanding. Dated in Saint Christopher, this _____ Day of _____ in the Twenty-fourth Year of the Reign of our Sovereign Lord GEORGE the Third, by the Grace of God, of Great-Britain, France, and Ireland, King, Defender of the Faith, and so forth, and in the Year of our Lord One Thousand Seven Hundred and Eighty-four.

Read and passed the Assembly, this 26th Day of February, 1784.

JOHN GARNETT, Speaker.

Passed the Council, the 4th Day of March, 1784.

JA. WARD, Clerk of Assen.

THOMAS WALL, Dep. Sec.

Assented to by the Governor in Chief, this Eleventh Day of March, in the Year of our Lord One Thousand Seven Hundred and Eighty-four, and in the Twenty-fourth Year of his Majesty's Reign.

THOMAS



SHIRLEY.

Published in the Town of Basseterre, on Thursday the Eleventh Day of March, and in the Towns of Old-Road and Sandy-Point, on Friday the Twelfth Day of the same Month, in the Year of our Lord One Thousand Seven Hundred and Eighty-four.

HENRY BERKELEY, Dep. Pro. Marshal.

No. 262.

An Act for constituting a Court of Chancery, to be held in and for this Island.

The Royal Assent was refused to this Act.

No. 263.

An Act for removing and preventing all Questions and Disputes concerning all Actions, Suits, and Process, and Judicial Proceedings, lately depending in the Courts of Chancery and King's Bench and Common Pleas of this Island, and for supplying all Defects that may relate to or affect the same; and for confirming all Judicial Proceedings had and determined during the Sovereignty of the Most Christian King over this Island.

WHEREAS many Pleas, Writs, Actions, Suits, Complaints, and Process, were had, commenced, or prosecuted, in the Courts of Chancery and King's Bench and Common Pleas of this Island, during the Sovereignty of the Most Christian King, and the same were commenced, had, and done in the Name of the said Most Christian King: And whereas this Island has been lately restored to our rightful and lawful Sovereign, and many Pleas, Writs,

Writs, Procefs, Complaints, Suits, Actions, and Judicial Proceedings, were depending in the said Courts, at the Time of such Restoration: Now for preventing all Doubts and Scruples which may arise by Means thereof, and for avoiding all manner of Discontinuances whatsoever, which by Occasion thereof might or should happen or be, in any Matter or Cause whatsoever, in any or either of the said Courts: We, therefore, Your Majesty's most dutiful and loyal Subjects, the Chief Governor of all Your Majesty's Leeward Charribbee Islands in America, and the Council and Assembly of the Island of Saint Christopher, do most humbly pray Your Majesty that it may be Enacted; And it is hereby Enacted, by the King's most Excellent Majesty, by and with the Advice and Consent of the Chief Governor, Council, and Assembly aforesaid, and by the Authority of the same, That no Writs, Procefs, Complaints, Pleas, Actions, Suits, or other Judicial Proceedings, had, made, commenced, or prosecuted, before the Ninth Day of January, in the present Year of our Lord One Thousand Seven Hundred and Eighty-four, in the Name, Stile, Title, or Test of *LOUIS*, by the Grace of God, of France and Navarre, King, or by any other Stile, Title, or Test whatsoever, shall be put without Day, quashed, or discontinued, by his Majesty's Reassumption of the actual Exercise of his Kingly Government in this Island, nor shall the same be Cause of Error, Abatement, or Discontinuance; But that all such Writs, Procefs, Complaints, Pleas, Actions, Suits, or other Judicial Proceedings, in any or either, and in each of the said Courts, and all Commissions for taking of Answers, or Examination of Witnesses, shall stand and be continued, and shall and may be proceeded upon, prosecuted, and returned, notwithstanding the same were commenced or prosecuted, as aforesaid, and notwithstanding the present happy Change and Restitution of his Majesty's Name and Stile in Judicial Proceedings.

No Writ, Procefs, Complaint, &c. commenced before the 9th January, 1784, in the Name of *LOUIS*, the French King, to be put without Day, quashed, &c. on Account of the Resumption of the Government of the Island by *GEORGE III.* nor to be Cause of Error, &c. But may be proceeded upon as if a Change in the Government had not taken Place.

II. AND be it further Enacted, by the Authority aforesaid, That no Verdicts, Judgments, Statutes, Recognizances, nor Inrollments, of any Deeds or Wills; nor any Inquisitions, Indictments, Presentments, Informations, Decrees, Sentences, Probates of Wills, nor Letters of Administration; nor any Writs, or Returns of Writs, Orders, or other Proceedings in Law or Equity, had, made, given, taken, done, or depending in the Courts of Chancery, King's Bench and Common Pleas, or in any other Court of Law or Equity, or by any of the Judges, Clerks, Officers, Coroners, or others, acting in Obedience to them, or either of them; or by any the Courts of Admiralty, Sessions of the Peace, or Justices of the Peace; nor any Actions, Procefs, or Executions thereupon had, done, or suffered, within this Island of Saint Christopher, before the said Ninth Day of January, in the Year of our Lord One Thousand Seven Hundred and Eighty-four, shall be avoided, annulled, or reversed, for Want or Defect of any Legal Power in the said Courts, Judges, Justices, or any of the Officers aforesaid; or for or by Reason that the Premises, or any of them, were commenced, prosecuted, held, taken, or used, in the Name, Stile, or Title of *LOUIS*, by the Grace of God, of France and Navarre, King, or by any other Name, Stile, or Title, but that all and every such Judgments, Decrees, Sentences, Acts, and Proceedings, and all other the Premises, shall be of such and no other Force, Effect, and Virtue, than as if such Courts, Judges, Justices, and other Officers, had acted by Virtue of a just and Legal Authority; and that the said Judgments, Decrees, Sentences, Acts, Proceedings, and other the Premises aforesaid, shall not, nor shall any of them be, reversed, annulled, or otherwise avoided, because the same were given, had, made, or done, or because the said Courts, Judges, Justices, and other Officers, were constituted, appointed, or empowered, by or under the Authority of the French King, or his Governors, notwithstanding the late happy Restitution of this Island to the Crown of Great-Britain: Provided always, That it shall and may be lawful to and for all Persons, who shall find themselves aggrieved or damnified, by any such Judgment, Decree, Sentence, Act, or Proceeding, or any other the Premises so given, had, made, or done, before the said Ninth of January, to proceed in due Form of Law, either by Writ of Error, Bill of Review, Appeal, or other lawful Remedy, for the reversing, annulling, revoking, or avoiding of the same, in such Manner as they might at any Time heretofore have done, except for those Errors and Defects which are remedied and provided for by this Act. Dated in Saint Christopher, the Twenty-eighth Day of February, in the Twenty-fourth Year of the Reign of our Sovereign Lord *GEORGE* the Third, by the Grace of God, of Great-Britain, France, and Ireland, King, Defender of the Faith, and so forth, and in the Year of our Lord One Thousand Seven Hundred and Eighty-four.

No Verdict, Judgment, &c.; no Inrollment of Deeds or Wills; no Inquisition, Indictment, &c. Decrees, Sentences, Probates of Wills, &c.; no Proceedings at Law or Equity;

or by the Courts of Admiralty & Sessions, or by Justices of the Peace; or Execution thereupon done before the 9th January, 1784; to be annulled, avoided, or reversed, for Want of Legal Power, on Account of Procefs or Proceedings being in the Name of the French King; but such Verdict, Judgment, &c. to be of the same and no other Force, as if the Courts had been held by Legal Authority; nor shall be reversed, annulled, or avoided, because Judges, Justices, and other Officers were empowered by the French King. All Persons aggrieved by any Judgment, Decree, &c. may bring a Writ of Error, Appeal, Bill of Review, &c.

Read and passed the Assembly, the 9th Day of February, 1784. JOHN GARNETT, Speaker. Passed the Council, the 20th Day of February, 1784. JAMES WARD, Clerk of Assen. THOMAS WALL, Dep. Sec. Passed by the Governor in Chief this 28th Day of February, 1784.

THOMAS L. S. SHIRLEY.

Published

1784.

Published in the Town of *Basseterre*, on Saturday the Twenty-eighth Day of *February*, and in the Towns of *Old-Road* and *Sandy-Point*, on Monday the First Day of *March*, in the Year of our Lord One Thousand Seven Hundred and Eighty-four.

HENRY BERKELEY, D. P. Marshal.

Recorded and Examined the 10th Day of *March*, 1784.

THOMAS WALL, Dep. Sec.

No. 264.

Expired.

An Act for regulating and laying a Tax on all Vintners and Retailers of Spirituous Liquors; for laying a Duty on Rum sold by Retail; for lessening the Number of Distillers; and for the more effectual Prevention and Discouragement of such Vintners and Retailers of Spirituous Liquors, from harbouring, entertaining, and concealing Soldiers, Sailors, and Negroes and other Slaves; and for laying a Tax on Billiard-Tables, Shuffle-Boards, and Skittle-Alleys.

1785.

No. 265.

An Act for appointing CHARLES SPOONER, Esquire, Agent for the Island of Saint Christopher, in Great-Britain; and for settling a Salary upon him during the Time of his Agency.

Charles Spooner, Esquire, appointed Agent,

with a Yearly Salary whilst he resides in Great-Britain of £.200 sterling.

First Payment to be made at the End of one Year after Date of this Act.

Treasurer to remit the Salary out of the Public Levies.

The Salary of £.200 per Ann. to be in full for the Agent's trouble and personal Expences, incident to his office, except such Money as he shall disburse for the Public Service of the Island.

“ WHEREAS it is highly necessary that the People of this Island should have a proper Person to transact their Public Business and Affairs in the Kingdom of *Great-Britain*; We, therefore, Your Majesty's most dutiful and loyal Subjects, the Governor in Chief of all Your Majesty's Leeward *Charribbee* Islands in *America*, the Council and Assembly of Your Island of *Saint Christopher*; taking the same into Consideration, have chosen CHARLES SPOONER, Esquire, to be Agent for the said Island; We do most humbly pray Your Majesty that it may be Enacted; And be it, and it is hereby Enacted, by the King's Most Excellent Majesty, by and with the Advice and Consent of the said Governor in Chief, the Council and Assembly of the said Island of *Saint Christopher*, and by the Authority of the same, That the said CHARLES SPOONER, Esquire, be and is hereby appointed to be Agent for the said Island, in the Kingdom of *Great-Britain*: And the said CHARLES SPOONER, Esquire, shall have and receive out of the Treasury of the said Island, Yearly and every Year, during the Time he shall continue Agent for the said Island, and actually reside in *Great-Britain*, the Salary of Two Hundred Pounds, sterling Money of *Great-Britain*, and so on in Proportion for any shorter or lesser Time that he shall continue Agent, and actually reside in *Great-Britain*, as aforesaid; the first Yearly Payment, if he shall continue so long Agent, to be made at the End of One Year after the Date of this Act; and any other lesser Payment, if he shall, by Death or otherwise, cease to be Agent before the End of such First or any other Year, to be made on his so ceasing to be Agent, whenever the same shall happen: And the Treasurer of the said Island for the Time being, is hereby empowered and ordered to ship or remit, Yearly and every Year, out of the Public Levies raised or to be raised within the said Island, sufficient to pay and discharge the said Salary; and that the said Salary of Two Hundred Pounds *per Annum*, shall be in full for the said Agent's Trouble and Personal Expences, incident to his said Office, except such Money as he shall necessarily disburse for the Public Service of this Island. Dated at *Antigua*, this Twelfth Day of *January*, in the Twenty-fifth Year of the Reign of our Sovereign Lord GEORGE the Third, by the Grace of GOD, of *Great-Britain, France, and Ireland*, King, Defender of the Faith, and so forth, and in the Year of our Lord One Thousand Seven Hundred and Eighty-four.

Read and passed the Assembly, this 13th Day of November, 1784.

WM. BRYAN, Clerk of Assembly.

JOHN GARNETT, Speaker.

Read and passed the Council, the 7th Day of December, 1784.

JOHN HENRY, Dep. Sec.

Assented to by the Governor in Chief, this 12th Day of *January*, 1785.

THOMAS L. S. SHIRLEY.

Published

Published in the Town of Basseterre, on Saturday the Fifteenth Day of January, and in the Towns of Old-Road and Sandy-Point, on Monday the Seventeenth Day of the same Month, in the Year of our Lord One Thousand Seven Hundred and Eighty-five.

1785.

GEO. BERKELEY, Dep. Pro. Marshal.

Recorded and Examined the 20th Day of January, 1785.

JOHN HENRY, Dep. Sec.

No. 266:

An Act for the Relief of Debtors, with Respect to the Imprisonment of their Persons.

Expire

No. 267:

A Supplemental Act to an Act, intituled, An Act for raising and settling the Sum of One Thousand Pounds, current Money, per Annum, upon his Excellency THOMAS SHIRLEY, Esquire, Captain General and Governor in Chief in and over all his Majesty's Leeward Charribbee Islands in America, for the more honourable Support of him, and the Dignity of his Majesty's Government, during the Term therein specified; by a Duty or Tax of One Shilling, current Money, per Poll upon all Negroes and other Slaves within this Island.

WHEREAS in and by an Act passed in the Twenty-second Year of his Majesty's Reign, intituled, *An Act for raising and settling the Sum of One Thousand Pounds, current Money, per Annum, upon his Excellency THOMAS SHIRLEY, Captain General and Governor in Chief in and over all his Majesty's Leeward Charribbee Islands in America, for the more honourable Support of him, and the Dignity of his Majesty's Government, during the Term therein specified, by a Duty or Tax of One Shilling, current Money, per Poll upon all Negroes and other Slaves within this Island*, certain Persons therein named are appointed to take Lists of Negroes and other Slaves within the several Parishes of this Island, on the Tenth Day of January, in each and every Year, during the Residence of his Excellency THOMAS SHIRLEY, in his Government; and are further directed to return the said Lists to the Treasurer of this Island, in Order to enable him to ascertain the Proportion of Taxes that every Owner, Renter, or Possessor of Slaves, in this Island, shall become subject to, by Virtue of the said Act: And whereas notwithstanding the Directions of the said Act, the said Persons therein named and appointed to take the said Lists of Negroes and other Slaves, have neglected so to do, whereby the Intentions of the said Act, in providing Funds for the punctual Payment of the Governor's Salary, have been frustrated, and the Public have become considerably in Arrears to the said Chief Governor; For Remedy whereof, We, Your Majesty's dutiful and loyal Subjects, the Governor in Chief of all Your Majesty's Leeward Charribbee Islands in America, and the Council and Assembly of the Island of Saint Christopher, do pray Your Most Excellent Majesty that it may be Enacted; And be it, and it is hereby Enacted, by the said Governor in Chief, and the said Council and Assembly, and by the Authority of the same, That from and immediately after the Publication of this Act, every Owner, Renter, or Possessor, of any Negro or other Slaves, within this Island, shall be chargeable, and is hereby charged with the Payment of Two Shillings, in Gold and Silver Money only, for every such Negro or other Slave, of which he, she, or they shall be severally Owners, Renters, or Possessors; to be raised, collected, and paid in Manner as hereinafter is directed, on or before the Tenth Day of December next.

II. AND be it further Enacted, by the Authority aforesaid, That the several Persons nominated and appointed in and by the before-recited Act, to take Lists of Negroes and other Slaves within the several Parishes of this Island, shall within Ten Days before the Tenth Day of October next, issue their Warrant, under their Hands and Seals, or under the Hand and Seal of either of them, directed to a Constable of each of the said Parishes, ordering him to summon all and every the Owners, Possessors, or Renters of Negroes and other Slaves, and in their Absence from the Island, the Attornies, Managers, or Overseers thereof, to appear on a Day to be by them appointed, preceding the Twentieth Day of October next, at such Places as they shall direct, to give a true and exact List or Account, upon Oath, of all and every the Slaves of which he, she, or they are Owners, Renters, or Possessors, or of which they are Attornies, Managers, or Overseers, which Oath the said Persons are hereby empowered and required to administer: And if any such Owner, Renter,

1785.

Renter, or Possessor, or Attorney, Manager, or Overseer, shall neglect or refuse to deliver in such Lists or Account, after the issuing such Precept as aforesaid, and Notice thereof left at his, her, or their Place of Abode by the Constable in each respective Parish; such Person or Persons, so neglecting or refusing, shall forfeit and pay the Sum of Fifty Pounds, current Money; to be recovered and applied in Manner as in and by the said before-recited Act is directed in Cases of Refusal or Neglect, to deliver in true and exact Lists at the Times and Places therein appointed: And the Constable of each Parish, to whom such Precepts are directed, is hereby commanded to return a List of such Persons as he hath summoned, on the Day before such Lists are appointed to be taken, under the Penalty of Ten Pounds, current Money, for his Neglect; to be recovered and applied in Manner as by the said Act is directed, in the like Cases: And the said Constable shall make Oath before one of the said Persons appointed to take such Lists in the said Parish, or such other Persons as shall or may be appointed for that Purpose, which Oath such Persons are hereby empowered to administer, That the List by him returned, is a true, just, and complete List of all the Owners, Renters, or Possessors of Negroes and other Slaves, within the said Parish: And the said Constables are hereby empowered to receive from the Public of this Island, the same Sums of Money as they are empowered to receive from the Public, on the Execution of any Precept directed to them, by Virtue of the before-recited Act.

III. And be it further Enacted, by the Authority aforesaid, That the Affidavit of such Constable given respectively of the Persons so summoned by them, shall be good and sufficient Proof, in any Court of Record in this Island, for the Recovery of the Penalty laid and imposed by this Act, upon Persons refusing or neglecting to give in Lists of their Negroes and other Slaves; any Law, Custom, or Usage to the contrary thereof notwithstanding.

IV. AND be it further Enacted, by the Authority aforesaid, That the said Persons appointed, or such as may be hereafter appointed, to take the Lists of Slaves as aforesaid, are hereby enjoined and obliged, by their several Precepts, to appoint a Place for taking and receiving the said Lists or Accounts of Slaves, within Four Days before the said Twentieth Day of *October* next, and shall return and deliver such said several Lists by them taken and received, to the Treasurer of this Island for the Time being, on or before the Thirtieth Day of the same Month: And that the said several Persons shall, and they are hereby directed, to return upon Oath, to the said Treasurer, a true and exact Account of all Owners, Renters, or Possessors of Slaves; and the Attornies, Managers, or Overseers thereof, who shall have refused or neglected to give in Lists upon Oath, agreeable to the Directions of this Act, under the Penalty of Fifty Pounds, current Money; to be recovered and applied as is directed in the said before-recited Act, in the like Cases.

V. AND be it further Enacted, by the Authority aforesaid, That the said Treasurer shall, and he is hereby authorized and directed, forthwith to prosecute all such Delinquents as are or shall be so returned to him, under the Penalty of Fifty Pounds, current Money.

VI. AND be it further Enacted, by the Authority aforesaid, That in Case of the Death or Absence from this Island of any of the Persons nominated by the before-recited Act, and authorized by this present Act, to take and receive such Lists as aforesaid, the Governor in Chief, or in his Absence, the Commander for the Time being on this Island, shall and may, and he is hereby authorized and empowered, to appoint others in the Stead of such as are dead or absent, in the same Manner as is directed in and by the said before-recited Act: And such Persons, who after their Appointment, shall refuse or neglect to perform the several Duties enjoined them by this Act, shall suffer and be liable to the same Penalty as is directed by the before-recited Act, to be inflicted on Persons who being in like Manner appointed, under the Authority of the said Act, shall refuse or neglect to perform and execute the several Duties therein enjoined.

VII. AND be it further Enacted, by the Authority aforesaid, That the Treasurer of this Island shall, in all Cases respecting the Payment of the Tax hereby imposed, proceed to give Notice to the several Persons made liable thereto, by Virtue of this Act, and receive the Payment of the said Tax, in the same Manner as in and by the said before-recited Act, he is directed and authorized: And in Case any of the Persons liable to the said Tax, shall neglect or make Default in Payment of the same, on or before the said Tenth Day of *December*, being the Time above limited for the Payment thereof, such Persons shall be proceeded against in like Manner, as in and by the said before-recited Act is directed, in Cases of Neglect or Refusal to make Payment of the Taxes therein imposed: And the Provost Marshal, or his lawful Deputy, is hereby authorized and directed (whenever thereto commanded by any Two Justices of the Peace, according to the Directions of the said before-recited Act) to distrain on the Goods and Chattels, and for Want thereof, to levy on the Lands and Tenements of such Persons, so neglecting or refusing to make Payment, according to the Directions of this Act: And in Case the Provost Marshal, or his lawful Deputy, shall neglect or refuse to perform the several Duties hereinbefore enjoined, in Manner as is directed by the said before-recited Act, in Cases of Distress and Levy, or with Respect

Respect to the Payments to be made to the Treasurer, after such Distress, Levy, and Sale, such Provost Marshal, or his lawful Deputy, their Heirs, Executors, Administrators, and Securities, and every of them, shall be liable to make good all Deficiencies proceeding from such Neglect or Refusal, and shall be subject to all such Fines and Forfeitures as such Provost Marshal, or his lawful Deputy, shall incur by the Non-performance of the several Duties enjoined by this Act; to be recovered as directed in the like Cases, by the said Act.

VIII. AND be it further Enacted, by the Authority aforesaid, That the several Persons authorized to take the Lists of Slaves, as aforesaid, shall and may exempt from the Payment of the Tax by this Act laid and imposed, such Person or Persons as shall make it appear that they are poor, and unable to pay the same.

IX. AND be it further Enacted, by the Authority aforesaid, That all and every the Sum or Sums of Money which shall be collected and raised by Virtue of this Act, shall be first applied in Payment and Discharge of the Arrears of Salary now due, or which shall become due, on the Ninth Day of *January* next, to his Excellency the Captain General; and the Residue thereof, after deducting at and after the Rate of Five Pounds for every Hundred Pounds collected and raised by Virtue of this Act, which Sum the Treasurer is hereby authorized to *accrue* and take to his own Use, to be applied in Payment and Discharge of such Public Debts, as are due from the Public, in Rotation, and according to the Dates of the several Orders, as registered in the Treasurer's Office.

X. AND be it further Enacted, by the Authority aforesaid, That if the Treasurer of this Island shall, during the Continuance of this Act, neglect to perform the several Duties directed to be done by Virtue of this Act, he shall be liable to the same Penalties as he would have been subjected to, had he offended in the Execution of the like Duties enjoined him by the before-recited Act; to be recovered and applied in like Manner as therein is directed: And all Forfeitures and Penalties, by this Act laid and imposed, shall be recovered and applied in like Manner as Forfeitures and Penalties are directed to be recovered and applied by the said before-recited Act.


XI. AND be it further Enacted, by the Authority aforesaid, That if any Action, Suit, or Information, shall be commenced or prosecuted, by any Person or Persons, for any Matter or Thing by him or them done or caused to be done, in Pursuance of this Act, it shall and may be lawful, to and for the said Defendants, in any such Action or Suit, to plead the General Issue, and give this Act, and the Special Matter, in Evidence, at any Trial thereupon to be had: And if in any such Action or Suit, the Plaintiff or Prosecutor shall be nonsuited, or discontinue the Suit or Action; or if a Verdict shall pass against him by Default, or on a Demurrer; then in any of the said Cases, the Defendant or Defendants shall receive Double Costs, for which he or they shall have the like Remedy as where Costs are by Law awarded and given to other Defendants. Dated in Saint *Christopher*, this Twenty-seventh Day of *September*, in the Twenty-fifth Year of the Reign of our Sovereign Lord *GEORGE* the Third, by the Grace of GOD, of *Great-Britain, France, and Ireland*, King, Defender of the Faith, and so forth, and in the Year of our Lord One Thousand Seven Hundred and Eighty-five.

Read and passed the Assembly, the } JOHN GARNETT, { Read and passed the Council, the
13th Day of September, 1785. } Speaker. { 26th Day of September, 1785.

J. A. WARD, Clerk of Assembly.

E. MOORE, Clerk of Council.

Passed by the Governor in Chief, this 27th Day of *September*, 1785, and in the Twenty-fifth Year of his Majesty's Reign.

THOMAS  SHIRLEY.

Published in the Town of *Basseterre*, on Wednesday the Twenty-eighth Day of *September*, and in the Towns of *Old-Road* and *Sandy-Point*, on Thursday the Twentieth-ninth Day of the same Month, and in the Year of our Lord One Thousand Seven Hundred and Eighty-five.

GEO. BERKELEY, *Dep. Pro. Marshal.*

Recorded and Examined the Thirtieth Day of *September*, 1785.

E. MOORE, *Dep. Sec.*

No. 268.

An Act to explain and amend an Act, intituled, An Act to repeal an Act, intituled, An Act for the just, faithful, and speedy Performance of the Fourteenth Article of the Capitulation of the Islands

1785.

Islands of Saint Christopher and Nevis, between his Excellency the Count de GRASSE, Commander of his Most Christian Majesty's Naval Forces; and his Excellency the Marquis de BOUILLE, Governor General of the French Windward Islands; and his Excellency THOMAS SHIRLEY, Esquire, a Major General in his Britannic Majesty's Army, and Governor of the Islands of Saint Christopher and Nevis; and THOMAS FRASER, Esquire, Brigadier General commanding the Troops on Brimstone-Hill; and for raising a Fund instead of the remaining Part of the Fund raised by that Act; and for other Purposes thereafter mentioned.

WHEREAS in Pursuance of the Fourteenth Article of the Capitulation, made between Your Majesty's Garrison on *Brimstone-Hill*, and the French Generals the Marquis de BOUILLE, and the Count de GRASSE, an Act was passed by the Legislature of this Colony in the Year of our Lord One Thousand Seven Hundred and Eighty-two, intituled, "*An Act for the just, faithful, and speedy Performance of the Fourteenth Article of the Capitulation of the Islands of Saint Christopher and Nevis, between his Excellency the Count de GRASSE, Commander of his Most Christian Majesty's Naval Forces; and his Excellency the Marquis de BOUILLE, Governor General of the French Windward Islands; and his Excellency THOMAS SHIRLEY, Esquire, Major General in his Britannic Majesty's Army, and Governor of the Islands of Saint Christopher and Nevis; and THOMAS FRASER, Esquire, Brigadier General commanding the Troops on Brimstone-Hill*"; which said Act was designed for the Purpose of equalizing the Sufferings and Losses of the Inhabitants of the said Colony, sustained during the Siege of *Brimstone-Hill*, by a general and equal Contribution: And whereas that Contribution was therein directed to be raised by a Tax of Forty Shillings *per Poll* on all Negroes and other Slaves, and Ten Pounds *per Cent.* on Houses, within the said Island, to be paid by the Owners, Possessors, or Renters of such Slaves and Houses, at the respective Times by the said Act limited and appointed; *to wit*, Forty Shillings *per Poll* on the said Slaves, and Ten Pounds *per Cent.* on the said Houses, on the Fifteenth Day of *July*, One Thousand Seven Hundred and Eighty-two; other Forty Shillings on such Slaves, and also other Ten Pounds *per Cent.* upon such Houses, on or before the Fifteenth Day of *July*, One Thousand Seven Hundred and Eighty-three; and the same Taxes on the Fifteenth Day of *July*, One Thousand Seven Hundred and Eighty-four, as by the said Act, Relation being thereunto had, will more fully appear: And whereas in Obedience to the said Act, the said First and Second Annual Payments of the said Tax, were made pursuant to the Directions of the said Act, by a large Proportion of the Persons chargeable therewith, on or before the Fifteenth Day of *December*, One Thousand Seven Hundred and Eighty-three; but many Possessors, Owners, and Renters of Slaves and Houses, were then, and still are, in Arrear for the said First and Second Payments: And whereas on the said Fifteenth Day of *December*, an Act was passed, intituled, "*An Act to repeal an Act, intituled, An Act for the just, faithful, and speedy Performance of the Fourteenth Article of the Capitulation of the Islands of Saint Christopher and Nevis, between his Excellency Count de GRASSE, Commander of his Most Christian Majesty's Naval Forces, and his Excellency the Marquis de BOUILLE, Governor General of the French Windward Islands; and his Excellency THOMAS SHIRLEY, Esquire, a Major General in his Britannic Majesty's Army, and Governor of the Islands of Saint Christopher and Nevis; and THOMAS FRASER, Esquire, Brigadier General commanding the Troops on Brimstone-Hill; and for raising a Fund instead of the remaining Part of the Fund raised by that Act; and for other Purposes hereinafter mentioned*"; by which said last mentioned Act the said former Act was repealed, and declared to be from thenceforward utterly to all Intents and Purposes whatsoever, null and void; and another Poll Tax upon Slaves, and Ten Pounds *per Cent.* on Houses, was thereafter provided, for raising the said Contribution, in Lieu of the said last Payment or Instalment, provided by the said former Act, but from Mistake or Inadvertency, no Provision was made for collecting the Arrears of the said former Tax, which had at that Time become due upon the said two first Payments or Instalments, from such of the said Owners, Possessors, and Renters as had omitted to make Payment of the same: And whereas the said last mentioned Act has since our happy Restitution to your Majesty's Government, by the Authority of Your Majesty's Captain General of your Leeward *Charribbee* Islands in *America*, and the Council and Assembly of this Island, been re-enacted and confirmed, but without any Correction of the said Inadvertency or Mistake, inasmuch as no Person chargeable with the said Tax, had at that Time claimed or pretended to be discharged from making the said two first Annual Payments or Instalments, by Virtue of the said Act of Repeal, but many of such Persons on the contrary had subsequent to the said Refusal, paid into the Hands of the said Treasurer, their Arrears of Taxes under the said former Act: And whereas some Persons who still remain indebted for the said Arrears, have lately by Reason of the great generality and fullness of the said repealing Clause, conceived themselves discharged from all Debts and Demands for Taxes under the said repealed Act, and have actually refused to make Payment of the said Arrears so due by them as aforesaid, when called upon by the Treasurer for

for that Purpose, and it is much doubted whether they can be legally compelled to make such Payments: And whereas it would be highly inequitable and contrary to the true Intention of the Legislature of this Island, if such Persons should, by Reason of their own Delay and Remissness in making Payment of the said Taxes, be discharged from their due Share of the general Contribution, and exempted from a Tax which has already been paid by the major Part of the Inhabitants of this Island; For the obviating and removing therefore, all such Doubts and Inconveniences, May it please Your Most Excellent Majesty that it may be Enacted and Declared; And be it, and it is hereby Enacted and Declared by the King's Most Excellent Majesty, by and with the Advice and Consent of the Captain General and Governor in Chief in and over all his Majesty's Leeward *Charribbee* Islands in *America*, the Council and Assembly of the said Island, That neither the said Act herein last mentioned, nor the said Clause of Repeal, nor any other Matter or Thing therein contained, shall extend, or be construed or adjudged to extend, to the repealing, extinguishing, releasing, or discharging, any Debt, Duty, or Penalty, for or on Account of Taxes, Duties, or Penalties, imposed by the said former Act thereby repealed, which were incurred, due, or owing to Your Majesty, or the Public of this Island, before the passing the said Act of Repeal; but that all and every Owners, Possessors, and Renters of Negroes and other Slaves, and of Houses, within the said Island, who have not yet made Payment of both or either of the said two first Annual Payments or Instalments of the Tax imposed by the said repealed Act, shall forthwith immediately make Payment thereof to the Treasurer of this Island; or such other Persons as are by the said Act of One Thousand Seven Hundred and Eighty-three, authorized and empowered to collect and receive the Tax thereby imposed, and that in such Manner and Form, and upon such Terms and Conditions, and subject to all such Pains and Penalties, in Case of Default or Refusal, as are established and provided in and by the said last mentioned Act, for regulating and securing the Collection of the said Taxes to be raised by Authority thereof; And also that in Case of any Default or Refusal in the immediate Payment of the said Taxes, or Arrears of Taxes, so due as aforesaid, after the passing of this Act, the said Treasurer and other Persons in the said last recited Act appointed and empowered, shall have the same Remedies for the compulsory Collection of the same, and shall pursue those Remedies under the same Pains and Penalties, in Case of his or their Default, as in and by the said last recited Act are, with Respect to the said Taxes, thereby to be raised, and the Manner of raising and collecting the same given, provided, and imposed, any Thing in the said last mentioned Act to the contrary thereof notwithstanding. Dated in Saint *Christopher*, this Seventeenth Day of *October*, in the Year of our Lord One Thousand Seven Hundred and Eighty-five, and in the Twenty-fifth Year of the Reign of our Sovereign Lord *GEORGE* the Third, by the Grace of God, of *Great-Britain*, *France*, and *Ireland*, King, Defender of the Faith, and so forth.

Read and passed the Assembly, the } JOHN GARNETT, { Read and passed the Council, the
24th Day of June, 1785. } Speaker. } 22d Day of July, 1785.

J. A. WARD, Clerk of Assembly.

E. MOORE, Clerk of Council.

Passed by the Governor in Chief, this 17th Day of *October*, 1785.

THOMAS L. S. SHIRLEY.

Saint *Christopher*. Published in the Town of *Basseterre*, on Monday the Twenty-fourth, and in the Towns of *Old-Road* and *Sandy-Point*, on Tuesday the Twentieth-fifth Day of *October*, One Thousand Seven Hundred and Eighty-five.

GEO. BERKELEY, *Dep. Pro. Marshal*.

Recorded and Examined this Ninth Day of *November*, 1785.

E. MOORE, *Dep. Sec.*

No. 269.

An Act to oblige all Owners, Renters, and Possessors of Slaves in this Island, to send a Proportion of the same, to be employed on *Brimstone-Hill*, and the Work necessary for its Defence.

“ WHEREAS it has been deemed adviseable for the Inhabitants of this Island to furnish Two Hundred Slaves, to be employed on the Fortifications of *Brimstone-Hill*, and the Work necessary for its Defence; and to allow the Sum of Two Shillings per Day for every able Negro Man Slave employed as aforesaid, that the Proprietors of Slaves might be encouraged voluntarily to contribute the Number that has

X x

“ been

1785.

The Act No. 259, repealing the Act No. 251, hereby declared not to repeal, extinguish, release, or discharge any Debt, Duty, or Penalty imposed by the Act No. 251, and which were incurred due, or owing before the passing the Act of Repeal No. 259.

All Persons not having paid their Taxes imposed by Act No. 251, to make Payment.

In Case of Default are subjected to the Pains and Penalties imposed by Act No. 251.

And the Treasurer shall have the same Remedies for compelling Payment, and shall himself in Case of Default be subjected to the same Pains and Penalties, as are given by that Act No. 251.

1785.

Enacting Clause.
Commissioners,
or any three or
more, when Ne-
groes shall not a-
mount to 200,
may issue War-
rant to summon
Owners, &c. to
send (for not
more than two
Months, One a-
ble Man for e-
very 80 Slaves,
to complete the
Number work-
ing to 200: If a
smaller Proporti-
on than One in
Eighty, is requi-
red, Commis-
sioners to issue their
Warrant for such
smaller Proporti-
on.
Negroes sent to
be furnished
with such Tools,
&c. as specified
in the Warrant.

Persons neglect-
ing to send Pro-
portion of Slaves,
having been
summoned, with
Tools, &c. for-
feit for every Day
for every Slave
neglected, to be
sent with Costs
&c. to be levied
by Warrant from
Commissioners.
Goods, &c. to be
sold at the Town
nearest to the
Place where Levy
shall be made, &

penalty to be paid
to the Treasurer,

Overplus to be
returned.

Owners &c. of
Slaves, less than
80, to send One
able Man for so
much of the time
expressed in the
Warrant as bears
the same Proporti-
on to the whole
time as such less
Number shall
bear to 80.

If a Negro sent to
work, shall ne-
glect to attend,
the Owner, &c.
shall make up for
the loss of Time
before the Expi-
ration of the Pe-
riod mentioned
in the Warrant,
by increasing his
Proportion of a-
ble Men.
Proportion of
Slaves to be sent,
to be regulated by
the List taken for
raising 40s. Tax.
Persons volun-
tarily contributing
Slaves, to contin-
ue them for the
whole Term
mentioned in the
Warrant under
Penalty of for-
feiting the Hire
of every Negro
withdrawn.
Negroes sent to

“ been judged requisite ; but it having nevertheless been found impracticable to collect this
“ Number, unless by compulsively drawing out a certain Proportion of the Negroes belong-
“ ing to the different Owners, Renters, and Possessors of Slaves in the said Island ;” We,
Your Majesty’s Most Faithful Subjects, the Council and Assembly of *Saint Christopher*, do
therefore pray Your Majesty that it may be Enacted ; And be it, and it is hereby Enacted,
by the King’s Most Excellent Majesty, by and with the Advice and Consent of the Gover-
nor in Chief of all Your Majesty’s Leeward *Charribbee* Islands in *America*, and the Council
and Assembly of the said Island of *Saint Christopher*, and by the Authority of the same,
That from and immediately after the Publication of this Act, it shall and may be lawful for
the Commissioners hereinafter named, or any Three or more of them, whenever the Num-
ber of Negroes voluntarily contributed, shall fall short of Two Hundred, to issue their
Warrant or Warrants to any Constable or Constables within the said Island, directing him
or them to summon the different Owners, Renters, and Possessors of Slaves, within the said
Island, to send for any Period not exceeding the Space of Two Months, the Proportion of
One able Negro Man for every Eighty Slaves, which they own, rent, or possess, if such
Proportion shall be necessary, with the Negroes voluntarily contributed, to complete the
Number of Two Hundred ; but if any smaller Proportion shall be sufficient to complete
the said Number, then the said Commissioners, or any Three or more of them, to issue such
Warrant as aforesaid, for such smaller Proportion : And it is hereby provided, That every
Negro Slave so sent, shall be furnished with such Tools and Utensils as shall be specified in
the said Warrant or Warrants, and shall be employed on *Brimstone-Hill*, and the Works
necessary for its Defence, during such Time, not exceeding the Space of Two Months, as
in the said Warrant or Warrants shall be mentioned.

II. AND it is hereby Enacted, That every Owner, Renter, or Possessor of Slaves, who
shall neglect to send such a Proportion of his Slaves as in the said Warrant or Warrants
shall be specified, furnished with such Tools and Utensils as shall be therein mentioned,
and to be employed in such Manner as is thereby directed, shall forfeit every Day for every
Slave whom he shall so neglect to send, the Sum of Six Shillings, current Money ; to be le-
vied, together with all the Costs of the said Levy, and of the Warrant and Sale next here-
inafter mentioned, on any of the Goods and Chattels of the said Delinquent, by Warrant
under the Hands and Seals of the said Commissioners, or any Three of them, directed to a-
ny Constable of this Island, commanding him to take into his Possession such of the Goods
and Chattels of the said Delinquent, as shall be sufficient to satisfy the said Penalty and
Costs as aforesaid, and to sell the said Goods and Chattels in a reasonable Time, by Public
Auction, at the Town nearest to the Place where the same shall be taken into his Possession
as aforesaid ; And the said Constable making such Levy as aforesaid, is hereby command-
ed in the first Place, to pay out of the Proceeds of the said Sale, the Amount of the Penalty
mentioned in the said Warrant, to the Treasurer of this Island for the Time being, to be
applied to the Use of the Public, then to reserve sufficient to defray such Costs as afore-
said, and afterwards to return the Overplus, if any, to the Owner of the said Goods and
Chattels.

III. AND be it further Enacted, That all Owners, Renters, or Possessors of any Number
of Negroes or other Slaves, either less than Eighty in the whole, not divisible by the Num-
ber of Eighty, without leaving a Fraction, shall send, under the Penalty herein-before
mentioned, with such Tools and Utensils as aforesaid, to be employed as aforesaid, One
able Negro Man Slave, for such Part of the Time expressed in the said Warrant, as bears the
same Proportion to the whole Time therein expressed, as such less Number or Fraction bears
to the Number of Eighty : Provided always, That if any Negro so sent, shall neglect to at-
tend such Employment as aforesaid, the Owner, Renter, or Possessor of such Negro, shall,
(previous to the Expiration of the Time mentioned in the Warrant, by which the said
Negro was called out, and by increasing his Proportion of able Negro Men) make up for
such Neglect, under the Penalty aforesaid ; to be levied in the Manner herein-before pre-
scribed.

IV. AND be it further Enacted, by the Authority aforesaid, That the Proportion of
Slaves every Person shall be obliged to send by Virtue of this Act, shall be regulated from
the last List taken for raising the Forty Shilling Tax.

V. AND be it further Enacted, That all Persons who shall voluntarily contribute any
Number of Negroes to be employed on *Brimstone-Hill* ; and the Works necessary for its
Defence, shall continue the same in such Employment for the whole Term mentioned in
the Warrant issued at the Time of such Contribution, under the Penalty of forfeiting the
Hire of every Negro wilfully withdrawn, for as much of the Time mentioned in the said
Warrant, as he shall have been actually employed as aforesaid.

VI. AND be it further Enacted, by the Authority aforesaid, That the Two Hundred
Negroes to be employed on *Brimstone-Hill*, and the Work necessary for its Defence, shall be
subject to the Orders and Directions of a Supervisor, to be appointed from Time to Time,

by

by the Governor or Commander in Chief of the Leeward *Charribbee* Islands, with the Advice and Consent of the Council and Assembly of this Island; which Supervisor shall be subject to such Orders, Rules, and Regulations, as shall from Time to Time be made by the Council and Assembly of the Island aforesaid.

VII. AND be it further Enacted, by the Authority aforesaid, That such Supervisor shall not at any Time hereafter, directly or indirectly, contribute any Negroes or other Slaves, to be employed on *Brimstone-Hill*, or the Work necessary for its Defence, under the Penalty of Five Hundred Pounds, current Money; to be recovered by Action of Debt in the Court of King's Bench and Common Pleas in this Island; One Half of the said Sum of Five Hundred Pounds to be received by any Person who will sue for the same; the other Half to be paid to the Treasurer of this Island, for the Use of the Public thereof.

VIII. AND be it further Enacted, by the Authority aforesaid, That the Supervisor appointed agreeable to the Directions of this Act, shall, before he enters upon the Execution of his said Office, take the following Oath:

I A. B. do swear on the Holy Evangelists of Almighty God, that I will not, directly or indirectly, contribute any Slave or Slaves belonging to myself, or suffer any Person or Persons under Cover for me, to contribute any Slave or Slaves, to be employed on *Brimstone-Hill*, or the Work necessary for its Defence; and that I will make all such Returns relative to my Office, as Supervisor, as the Council and Assembly of the said Island of Saint Christopher, or either of them shall direct and require of me.

So help me God.

IX. AND be it further Enacted, by the Authority aforesaid, That if any Negro or other Slave, sent to and employed on the Fortifications of *Brimstone-Hill*, or such Work as aforesaid, shall be wounded, maimed, or killed, by Reason of such Employment; that then the Person or Persons who shall be a Loser by such wounding, maiming, or killing, shall be reimbursed out of the Public Treasure of this Island, the Amount of such Loss, to be ascertained by the Appraisement upon Oath, of any Two or more of the Freeholders of the Neighbourhood, to be for that Purpose named by the said Commissioners, or any Three or more of them.

X. AND be it further Enacted, by the Authority aforesaid, That the Honourable *Anthony Johnson, John Stanley, Archibald Esdaile, William Wells, Samuel Crooke, Stedman Rawlins, Joseph Rawlins, John Smith Thomas, Abraham Charles Adye, Thomas Thomas, Robert Thomson; Anthony William Somarsfall, Thomas Tuckett, John Garnett, John Whitehall, William Davis, George Alexander Akers, William M'Tair, Thomas Gaines, William Mahon, Clement Gaines, Edward Parsons, David Nisbett, James Stephen, Lumley Woodyear, Charles Farrill, John Madox Titley, Stedman Rawlins, junior, John George Goldfrap, George Garnett, and William Tyson*, shall be, and are hereby named Commissioners for the Purpose, and with the Authority expressed in this Act.

XI. AND to prevent any Obstruction or Delay, which may happen in the Execution of this Act, by Reason of the Absence from the Island or Death of the said Commissioners, or any of them, Be it further Enacted, by the Authority aforesaid, That the Council and Assembly for the Time being, shall and may, by a Vote of both Houses, from Time to Time, when and as often as they shall see Occasion, name and elect new Commissioners, to supply the Places of such as shall happen to die or be absent as aforesaid.

XII. AND be it further Enacted, That if any Person shall be sued or molested for any Thing done by Virtue of this Act, he, she, or they may plead the General Issue, and give this Act and the Special Matter in Evidence for their Justification; and if the Plaintiff or Plaintiffs be nonsuited, or discontinue such Action; or a Verdict be found against such Plaintiff or Plaintiffs; or if Judgment be awarded for the Defendant, upon a Demurrer or otherwise; in each and every of the said Cases, such Plaintiff or Plaintiffs shall pay Treble Costs of Suit: And this Act is hereby declared to be a General Law; and all Courts, Judges, and Justices, are to take Notice thereof accordingly. Dated in *Antigua*, the Fifth Day of *December*, in the Twenty-sixth Year of the Reign of our Sovereign Lord *GEORGE* the Third, by the Grace of God, of *Great-Britain, France, and Ireland*, King, Defender of the Faith, and so forth, and in the Year of our Lord One Thousand Seven Hundred and Eighty-five.

Read and passed the Assembly, the 17th Day of November, 1785. } JOHN GARNETT, { Read and passed the Council, the 17th Day of November, 1785.

JA. WARD, Clerk of Assembly.

Speaker.

E. MOORE, Clerk of Council.

Passed by the Governor in Chief, the 5th Day of December, 1785.

T H O M A S L. S. S H I R L E Y ,

Saint

1785.
be subject to the orders of a Supervisor.
Supervisor to be subject to the orders, &c. of Council and Assembly, from Time to Time.
Supervisor not to contribute any Negroes to the work, under Penalty of £.500.
Penalty how to be recovered and disposed of.

The Supervisor's Oath.

If any Slave, employed on *Brimstone-Hill*, be wounded, &c. his Owner shall be reimbursed for his Loss out of the Treasury: Loss to be ascertained, by Appraisement upon Oath, of 2 Freeholders, to be named by the Commissioners.

Names of Commissioners.

Council and Assembly, from Time to Time, to name new Commissioners, as Occasion shall require.

Any Person sued may plead the General Issue.

Declared a General Law.

1785.

Saint Christopher. Published in the Town of *Basseterre*, on Thursday the Eighth, and in the Towns of *Old-Road* and *Sandy-Point*, on Friday the Ninth Day of *December*, One Thousand Seven Hundred and Eighty-five, and in the Twenty-sixth Year of His Majesty's Reign.

GEO. BERKELEY, *Dep. Pro. Marshal*,Recorded and Examined this 10th Day of *December*, 1785.E. MOORE, *Dep. Sec.*

No. 270.

Expired.

An Act for raising a Tax or Duty, upon the Tonnage of Ships and other Vessels, trading to and with this Island; and to encourage the Importation of the several Articles therein mentioned.

1786.

No. 271.

Private.

An Act for enabling the Receiver of the Estates of the Honourable WILLIAM WHARTON, Esquire, deceased, to sell the said WILLIAM WHARTON's Real Estate within this Island.

1787.

No. 272.

An Act to prevent the setting Fire, or attempting to set Fire, to Houses and other Buildings, and of Sugar Canes.

WE, Your Majesty's most dutiful and loyal Subjects, the Governor in Chief of all Your Majesty's Leeward *Charribbee* Islands in *America*, and the Council and Assembly of *Saint Christopher*, do most humbly pray Your Majesty that it may be Enacted; And be it, and it is hereby Enacted, by the King's Most Excellent Majesty, by and with the Advice and Consent of the Governor in Chief, the Council, and Assembly aforesaid, and by the Authority of the same, That if at any Time after the Publication of this Act, any Person or Persons shall wilfully and maliciously burn or set on Fire any Houses or other Buildings, or any Sugar Canes growing or standing in any Field or Cane Piece, within this Island; every Person so offending, being thereof lawfully convicted, shall be adjudged guilty of Felony, and shall suffer Death, as in Cases of Felony, without the Benefit of Clergy.

Any Person willfully burning or setting Fire to any Houses, &c. or Sugar Canes, guilty of Felony, and to suffer Death.

Any Person attempting to set on Fire any Houses, &c. or Sugar Canes, to be transported.

If he returns after Transportation, to suffer Death.

If any Negro, after Transportation, shall be brought back;

Such Slave to be sold upon Condition to be transported again.

If Purchaser does not transport him Negro to be sold again, and so on *toties quoties*.

II. AND be it further Enacted, by the Authority aforesaid, That if any Person or Persons shall wilfully and maliciously attempt to set on Fire any Houses or other Buildings, or any Sugar Canes growing or standing in any Field or Cane Piece, as aforesaid; such Person or Persons, being duly convicted thereof, shall be transported from the said Island, to any such Place as the Court passing Sentence upon such Offender or Offenders, shall deem proper and expedient: And that if such Offender or Offenders shall, at any Time after such Transportation, return voluntarily to this Island, and be thereof lawfully convicted, he, she, or they so returning, shall be deemed and adjudged guilty of Felony, and shall suffer Death, as in Cases of Felony, without Benefit of Clergy.

III. AND be it further Enacted, by the Authority aforesaid, That if any Negro or other Slave shall, at any Time after such Transportation, be brought back to the said Island, by any Person or Persons whomsoever, who shall or may pretend to be the Owner or Owners of such Slave or Slaves, or otherwise howsoever; then such Slave or Slaves, being duly convicted of being so brought back to this Island, shall be, and is and are hereby declared to be, forfeited to the Public of this Island; and shall be sold at Public Sale by the Provost Marshal of the said Island, or his lawful Deputy, upon Condition that the Person or Persons who shall or may become the Purchaser or Purchasers of such Slave or Slaves, shall forthwith carry or send such Slave or Slaves from the said Island, for the Term which such Slave or Slaves was or were originally ordered to be transported: And in Case such Purchaser or Purchasers at Marshal's Sale, shall neglect or refuse forthwith to transport such Slave or Slaves so purchased, the Provost Marshal, or his lawful Deputy, shall again sell such Slave or Slaves, upon the Conditions aforesaid; and so on *toties quoties* until such Slave or Slaves shall be transported from the said Island. Dated in *Nevis*, the Twenty-first Day of *April*, in the Twenty-seventh

ty-seventh Year of the Reign of our Sovereign Lord GEORGE the Third, by the Grace of
 GOD, of Great-Britain, France, and Ireland, King, Defender of the Faith, and so forth, and
 in the Year of our Lord One Thousand Seven Hundred and Eighty-seven.

1787.

Read and passed the Assembly, this } JOHN GARNETT, { Read and passed the Council, this
 23d Day of February, 1787. } Speaker. } 12th Day of April, 1787.

JAMES WARD, Clerk of Assen.

E. MOORE, Clerk of Council.

Passed by the Governor in Chief this 21st Day of April, 1787.

THOMAS



SHIRLEY.

Saint Christopher. Published in the Town of Basseterre, on Monday the Twenty-third,
 and the Towns of Old-Road and Sandy-Point, on Tuesday the Twenty-fourth Day of
 April, in the Year of our Lord One Thousand Seven Hundred and Eighty-seven, and in
 the Twenty-seventh Year of His Majesty's Reign.

GEO. BERKELEY, Dep. Pro. Marshal.

Recorded and Examined this 25th Day of April, 1787.

E. MOORE, Dep. Sec.

No. 273.

An Act to raise a Duty on Chaises and other Wheel Carriages, and Saddle Horses.

Expired.

No. 274.

An Act for raising a certain Sum of Money, by a Duty or Tax of Sixteen Shillings, current Mo-
 ney, per Poll on all Negroes and other Slaves; and the further Duty of Four Pounds in the
 Hundred Pounds, on the Yearly Value of Houses, Warehouses, Shops, and Tenements, in the se-
 veral Towns within the said Island; for the Payment of the Public Debts of this Island; and
 for the other Uses and Services therein declared.

Expired.

No. 275.

An Act for raising a Tax of Three Shillings and Six Pence per Poll on all Negroes and other
 Slaves; and a Tax of One Pound per Centum on the Yearly Value of all Houses, Warehouses,
 Shops, and Tenements, in the several Towns of this Island, for defraying the Expences of provid-
 ing for the Entertainment of His Royal Highness Prince WILLIAM HENRY; and for other
 Purposes.

Expired.

No. 276.

An Act to prevent Negroes and other Slaves from being clandestinely carried from the Island; and
 for regulating Porter Negroes, and Canoes and other small Boats; and for appointing Bay-
 Wardens.

Expired.

No. 277.

An Act to punish Mutiny, Desertion, or other Misbehaviour, in the Corps of Two Hundred Men,
 about to be raised for the Defence of this Island.

Expired.

Y y

An

1788.

No. 278.

Expired.

An Act for raising a certain Sum of Money, by a Duty or Tax of Twelve Shillings, current Money, per Poll on all Negroes and other Slaves; and the further Sum of Six Pounds in the Hundred Pounds, on the yearly Value of Houses, Warehouses, Shops, and Tenements, in the several Towns within the said Island, for the Payment of the Public Debts of this Island; and for the other Uses and Services therein declared.

No. 279.

Private.

An Act for the Relief of JAMES PATTERSON, an Insolvent Debtor.

No. 280.

An Act for establishing a Court of Sessions of the Peace, to be held in and for this Island.

Preamble.

WHEREAS the Administration of Justice in Criminal Cases in this Island, hath met with great Delay and Obstruction, from the Want of a Court of Sessions, for the Trial of Misdemeanours and Breaches of the Peace: For Remedy whereof, We, Your Majesty's most dutiful and loyal Subjects, the Commander in Chief for the Time being, of all Your Majesty's Leeward Charribbee Islands in America, and the Council and Assembly of this your Island of Saint Christopher, pray Your most Excellent Majesty that it may be Enacted; And be it, and it is hereby Enacted, by the King's most Excellent Majesty, by and with the Advice and Consent of the Commander in Chief for the Time being, of his Majesty's Leeward Charribbee Islands, and the Council and Assembly of Saint Christopher, and by the Authority of the same, That there shall be a Court of Sessions of the Peace, held twice in every Year, for this Island, by the Justices thereof in the Town of Basseterre, (that is to say) On the Third Tuesday in the Month of October, and the Third Tuesday in the Month of January, in each Year; which Court shall be held by Five Justices at the least, and shall have Jurisdiction to hear and determine all such Matters and Offences as are usually cognizable by the Court of Quarter Sessions in England, and to whose Rules and Practice the said Court shall conform itself in all Cases, as near as may be.

Court of Sessions twice a Year.

Third Tuesday in October, and the 3d Tuesday in the Month of January, in each Year.

Court to be held by 5 Justices, at the least, and to have Jurisdiction as the Court of Quarter Sessions in England.

8 Days before the holding of the Court in October, a Venire facias Juratores to be issued, under the Hands and Seals of Two Justices, for St. George, Basseterre, Saint Peter, Basseterre, & Palmetto Point.

8 Days before the holding of the Court in January, a Venire facias Juratores to be issued, for Cayon, Nichola Town, St. John and St. Paul, Capisterre, Sandy Point, & Middle-Island.

Manner of balloting for Jurors, &c.

II. AND be it further Enacted, by the Authority aforesaid, That Eight Days at the least before the holding of the Court, in the Month of October, in each and every Year, a Venire facias Juratores shall be issued, under the Hands and Seals of any Two Justices of the said Island, directed to the Provost Marshal of the said Island, or to his lawful Deputy, commanding him to summon the several Inhabitants, qualified to serve on Juries, of the several Parishes of Saint George, Basseterre, Saint Peter, Basseterre, and Trinity, Palmetto Point, to appear and serve as Jurors at such Court, to be holden in such Month of October: And that Eight Days at the least before the holding of the Court in the Month of January, in each and every Year, a Venire facias Juratores shall be issued, under the Hands and Seals of any Two Justices of the said Island, directed to the Provost Marshal of the said Island, or to his lawful Deputy, commanding him to summon the several Inhabitants, qualified to serve on Juries, of the several Parishes of Saint Mary, Cayon, Christ-Church, Nichola Town, Saint John's, Capisterre, Saint Paul's, Capisterre, Saint Ann, Sandy-Point, and Saint Thomas, Middle-Island, to appear and serve as Jurors at such Court, to be holden in such Month of January.

III. AND be it further Enacted, by the Authority aforesaid, That the Name of each and every Person who shall be summoned as aforesaid, with his Addition, shall be written in several and distinct Pieces of Parchment or Paper, being all as near as may be of equal Size and Bigness, and shall be delivered unto the Justices of the said Court, by the Provost-Marshal, or his lawful Deputy, and shall, by Direction and Care of the Court, be rolled up all as near as may be in the same Manner, and put together in a Box or Glass, to be provided by the said Provost-Marshal, or his lawful Deputy, for that Purpose; and when any Cause or Suit shall be brought on to be tried, some indifferent Person, by Direction of the Court, may and shall, in open Court, draw out Twelve or Twenty-four, as shall or may be agreed upon by the Parties in the said Cause or Suit, of the Parchments or Papers, one after another; and if any of the Persons, whose Names shall be so drawn, shall not appear, or be challenged and set aside, then such further Number, until Twelve or

Twenty-

Twenty-four Persons, as shall or may be agreed upon between the Parties as aforesaid, be drawn, who shall appear, and after all Causes of Challenge shall be allowed, as fair and indifferent, and Six of the Twenty-four Persons so drawn, being struck by each of the Parties, if it shall have been agreed between the said Parties that Twenty-four should be drawn, the said Twelve Persons so first drawn and appearing, or the Twelve Persons remaining out of the Twenty-four, after Six shall have been struck by each Party as aforesaid, and approved as indifferent, and they being sworn, shall be the Jury to try the said Cause or Suit; and the Names of the Persons so sworn, shall be kept apart by themselves, in some other Box or Glass, to be kept for that Purpose, 'till such Jury shall have given in their Verdict, and the same is recorded, or until the Jury shall, by Consent of the Parties, or Leave of the Court, be discharged; and then the same Names shall be rolled up again, and returned to the former Box or Glass, there to be kept with the other Names remaining at that Time undrawn, and so *toties quoties* as long as any Cause remains then to be tried: Provided always, That if any Cause or Suit shall be brought on to be tried in the said Court, before the Jury in any other Cause shall have brought in their Verdict, or be discharged, it shall and may be lawful for the Court to order a Jury out of the Residue of the said Parchments or Papers, not containing the Names of any of the Jurors who shall not have so brought in their Verdict, or be discharged, to be drawn in such Manner as aforesaid, for the Trial of the Cause or Suit, which shall be so brought on to be tried.

IV. AND for declaring the Qualifications of Persons who shall be so summoned to serve as Jurors as aforesaid, Be it Enacted, by the Authority aforesaid, That all Persons residing in the said Island, seized of any Estate in Fee, or of any Freehold of the yearly Value of Ten Pounds, current Money, or possessed of any Personal Estate of the Value of One Hundred Pounds, current Money, aforesaid, shall be, and are hereby deemed qualified to serve as Jurors in the said Court.

V. AND be it further Enacted, by the Authority aforesaid, That every Person qualified as aforesaid, who shall be summoned to appear in his proper Turn as a Juror, and not appearing, shall forfeit and pay Five Pounds, current Money: And if any Juror depart after he is sworn, before Verdict delivered, he shall forfeit Twenty Pounds, current Money, and another shall be sworn in his Room.

VI. AND be it further Enacted, by the Authority aforesaid, That if a sufficient Number of the Persons summoned to be Jurors, do not appear, to make a full Jury, then a Tales of the Standers-by shall be returned by the Provost-Marshal, or his lawful Deputy, who shall serve, under Pain of Commitment to the Gaol of this Island.

VII. AND be it further Enacted, by the Authority aforesaid, That where any Person shall be summoned by Writ of Subpoena, to give Evidence in any Matter depending in the said Court, and shall make Default therein, (not hindered by Sickness or old Age) such Person shall forfeit Twenty Pounds, current Money; the One Half to the Party for whom he was to give Evidence; and the other Moiety to be paid to the Treasurer for the Use of the Public: And upon Affidavit being made of the Service of the Subpoena, and that the Person summoned is a material Witness, the Court shall put off the Cause, if the Party desire it, to the next Court, the said Party paying the Costs of the Day.

VIII. AND be it further Enacted, by the Authority aforesaid, That no Writ of *Certiorari* at the Prosecution of any Party indicted, shall be granted out of the Court of King's Bench and Common Pleas, held in and for the said Island, to remove any Indictment before Trial had from before the Justices of the said Court of Sessions, unless the Party indicted, prosecuting such *Certiorari*, shall first enter into a Recognizance, with two Manuaptors, before the Justices of the said Court, in the Sum of One Hundred and Fifty Pounds, to plead to and try the said Indictment in the said Court of King's Bench and Common Pleas, at the next Sitting of the said Court of King's Bench and Common Pleas, after such *Certiorari* shall be returnable; and the said Writ of *Certiorari* and Recognizance shall be certified by the said Justices to the said Court of King's Bench and Common Pleas, with the Name of the Prosecutor of the said Indictment indorsed thereon, there to be filed: And if the Party prosecuting such *Certiorari*, being the Defendant, shall not, before Allowance thereof, enter into such Recognizance, with Two Manuaptors as aforesaid, the Justices of the said Court of Sessions may try the said Indictment at their Sessions, notwithstanding such *Certiorari* so delivered.

IX. AND be it further Enacted, by the Authority aforesaid, That if the Defendant prosecuting such *Certiorari*, be convicted on the said Indictment, then the said Court of King's Bench and Common Pleas shall give to the Prosecutor his reasonable Costs, to be taxed according to the Course of the Court: And if the said Defendant shall not pay unto such Prosecutor his Costs, to be taxed as aforesaid, within Ten Days after Demand made thereof, then upon such Demand and Refusal being proved upon Oath, the said Court of King's Bench and Common Pleas shall issue a Writ of Attachment against the said Defendant, for his Contempt; and the Recognizance aforesaid shall not be discharged, until the said Defendant shall pay to the Prosecutor his Costs, so taxed as aforesaid.

AND

1788.

X. AND be it further Enacted, by the Authority aforesaid, That the said Provost-Marshal, or his lawful Deputy, shall summon all Coroners, Constables, and Way-Wardens, to attend every Court Day, hereinbefore appointed: And in Case of their Refusal or Neglect, they shall be liable each to the Penalty of Five Pounds, current Money, for each Default.

XI. AND be it further Enacted, by the Authority aforesaid, That the Justices of the said Court, to be held in the said Month of *January*, in each Year, or any Three Justices, at any subsequent Time shall, and are hereby directed, to appoint such and so many Persons in each and every Parish in this Island, to serve as Constables for the said Island for the ensuing Year, as shall be necessary: And every Person so appointed, and who shall refuse to take upon himself the said Office, shall forfeit the Sum of Twenty Pounds, current Money; to be levied by Warrant, under the Hands and Seals of any Two of the said Justices, by Distress and Sale of such Delinquent's Goods and Chattels, Lands or Tenements; and for Want of a sufficient Distress, the Offender shall suffer Twenty Days Imprisonment in the Common Gaol of this Island: Provided always, and it is hereby Enacted, by the Authority aforesaid, That no Person shall be compelled to serve the Office of Constable Two Years successively, any Thing hereinbefore contained to the contrary notwithstanding.

XII. AND be it further Enacted, by the Authority aforesaid, That every Justice of Peace, who shall refuse or neglect to attend at the said Court, unless disabled by Sickness, or Absence from the Island, or unless he make such Excuse to the Court then sitting, or to the next Court, as shall be approved of by a Majority of the Justices that shall then compose the Court, shall forfeit the Sum of Ten Pounds, current Money; to be recovered by Warrant under the Hand and Seal of the presiding Justice at the next Court: Provided always, and it is hereby Declared, That nothing in this Act contained shall be construed to extend to or affect the Judges of his Majesty's Court of King's Bench and Common Pleas, who are hereby declared to be incapable of sitting as Justices of the said Court of Sessions.

XIII. AND be it further Enacted, by the Authority aforesaid, That all Fines and Forfeitures hereby imposed, (save as hereinbefore excepted) shall be paid to the Treasurer of this Island, for the Use of the Public thereof.

XIV. AND be it further Enacted, by the Authority aforesaid, That all Justices of the Peace, Coroners, and other Persons, who shall have taken any Inquest, Depositions, Recognizances, or other Papers, relative to the Peace, or to Matters cognizable by the said Court, hereby established, shall send the same to the Clerk of the Peace, Four Days before the holding each of the said Sessions; and if taken within such Four Days, then as soon after the same were taken as conveniently may be.

XV. AND whereas there hath been great Irregularity and Uncertainty heretofore in this Island, touching the estreating of Recognizances forfeited, and Fines imposed, in Courts of Sessions, so that little Regard has been paid to the Authority of such Courts, and scarce ever any Recognizance put in Suit, and many of the Fines never levied: To the End, therefore, that Certainty and Regularity may be established, touching the estreating such Recognizances, and enforcing the Payment of such Fines, Be it, and it is hereby Enacted, by the Authority aforesaid, That the Clerk of the Peace shall, and is hereby required, to return to the Chief Justice, or if none, to the senior Justice of the Court of King's Bench and Common Pleas of this Island for the Time being, and to his Majesty's Attorney or Solicitor General, or to the senior King's Counsel for the Time being, in the Absence of the Attorney and Solicitor General, within Ten Days after holding of each of the said Sessions, One complete Extract of all Recognizances forfeited, and Fines imposed at such Sessions, and not paid down, or in the mean while satisfied, or the Party committed for such Fines, and shall sign the same with his Name, and date the same; and the said Fines shall be levied and recovered in such Manner, and by such Process, as Fines imposed by the Courts of Quarter Sessions in *England* are levied and recovered; and the said Recognizances shall and may be prosecuted and recovered in the said Court of King's Bench and Common Pleas, by proper Process, to the Practice of the Court of King's Bench in *England*, and Costs to be allowed: And all Fees attending the levying and recovering the Fines to be imposed by the Court of Sessions, and the prosecuting and recovering the Recognizances to be estreated as aforesaid, shall be levied upon, and paid by the Person or Persons who shall be subjected to the Payment of such Fines, or of such Recognizances so to be estreated: Provided always, That the Justices of the Peace, shall not be obliged to return any Recognizances, where the Parties have agreed that no further Prosecution shall take Place, except in Cases of Felony.

XVI. AND be it also further Enacted, by the Authority aforesaid, That the said Court of Sessions shall and may proceed to hear, determine, order, direct, and finish any Indictment, Presentment, Information, Process, Petition, or other Matter or Thing whatsoever, already begun by any former Court of Sessions, heretofore held for this Island: And all Persons standing bound over for Appearance of themselves or others, shall appear, or cause Appearance to be made, at the First Meeting of the Court hereby established, upon Pain of forfeiting their Securities in Default thereof, unless further Time be given by the said Court.

Court. Dated in Saint *Christopher*, the Fourteenth Day of *January*, in the Twenty-ninth Year of the Reign of our Sovereign Lord *GEORGE* the Third, by the Grace of God, of *Great-Britain, France, and Ireland*, King, Defender of the Faith, and so forth, and in the Year of our Lord One Thousand Seven Hundred and Eighty-nine.

1788.

Read and passed the Assembly, the } JOHN GARNETT, { Read and passed the Council, this
6th Day of November, 1788. } Speaker. { 6th Day of November, 1788.

JA. WARD, Clerk of Assembly.

E. MOORE, Clerk of Council.

JOHN L. S. NUGENT.

Saint *Christopher*. Published in the several Towns of *Basseterre, Old-Road, and Sandy-Point*, on Thursday the Fifteenth Day of *January*, in the Year of our Lord One Thousand Seven Hundred and Eighty-nine, and in the 29th Year of his Majesty's Reign.

GEO. BERKELEY, Dep. Pro. Marshal.

Recorded and Examined the 16th Day of *January*, 1789.

E. MOORE, Dep. Sec.

No. 281.

1789.

An Act for regulating and laying a Tax upon all Vintners and Retailers of Spirituous Liquors; for laying a Duty on Rum sold by Retail; for lessening the Number of Distillers; and for the more effectual Prevention and Discouragement of such Vintners and Retailers of Spirituous Liquors, from harbouring, entertaining, and concealing Soldiers, Sailors, and Negroes and other Slaves; and for laying a Tax on Billiard-Tables, Shuffle-Boards, and Skittle-Alleys.

WHEREAS divers Irregularities and Disorders have been occasioned, by the unrestrained Power which many Persons have exercised, of retailing Spirituous Liquors to Soldiers, Seamen, White Servants, and Negro and other Slaves, to the great Detriment of the Commerce and Trade of this Island, and Disturbance of the Public thereof: And whereas from the Cheapness of Rum in this Island, the Soldiers, Sailors, White Servants, and Slaves often drink to very great Excess, which proves both very prejudicial to their Health, and is productive of Riots and Quarrels, from which much Mischief may and often does ensue: And as the usual Method of retailing Rum in small Quantities by the Retailers in *Basseterre*, and the other Towns in this Island, and by the Planters in the Country, has very much contributed thereto: And whereas the Number of Billiard-Tables, Shuffle-Boards, and Skittle-Alleys, used in this Island, tend greatly to the Corruption of the Morals of Youth of this Island, and cause them to neglect their several Vocations and Employments; We, therefore, Your Majesty's most dutiful and loyal Subjects, the Assembly of this Your Majesty's Island of Saint *Christopher*, do most humbly beseech Your Majesty that it may be Enacted; And be it, and it is hereby Enacted, by the King's most Excellent Majesty, by and with the Advice and Consent of the Commander in Chief of all His Majesty's Leeward *Charribbee* Islands in *America*, and the Council and Assembly of this His Island of Saint *Christopher*, and by the Authority of the same, That from and after the Publication of this Act, no Person or Persons whatsoever shall presume, by him, her, or themselves, or by any other Person or Persons whatsoever, employed by him, her, or them, or for his, her, or their Benefit, to sell or retail any Wine, Beer, Ale, Brandy, Cider, Arrack, or Geneva, or any other Spirituous Liquor whatsoever (Rum excepted), unmixed or mixed, with themselves or any other Ingredients, and by whatsoever Name or Names they may be called, publicly or privately, in any less Quantity than Six Gallons at one Time; or to sell or retail Rum, either pure or mixed with other Ingredients, in any less Quantity than Twenty Gallons at one Time; nor keep any Billiard-Tables, Shuffle-Boards, Tennis-Balls, or any other Instruments of Gaming, for the Purposes of Public Resort, without first taking out such Licences as are hereinafter directed for those Purposes, upon Pain that every Person so offending, and being thereof duly convicted, in Manner hereinafter prescribed, shall forfeit and pay for every such Offence, the Sum of One Hundred Pounds, current Money: Provided always, That this Act shall not be deemed to extend to any Physicians, Apothecaries, Surgeons, or Chymists, as to any Spirits or Spirituous Liquors, which they may use in the Preparation or making up of any Medicines, for sick, lame, or distempered Persons only.

Penalty of 100*l.* for not taking out Licences.

Proviso:

II. AND be it further Enacted, by the Authority aforesaid, That it shall and may be lawful to and for the Commander in Chief for the Time being, or in his Absence from the Island, Commanding-Officer on the Island to grant Li-

1789.

ences on Re-
commendation
of the Court of
Sessions, &c.

gol. to be paid
for the same.
Licences to be
taken out, under
the Penalty of
500l.

Licences not af-
signable.

500l. to be paid
for every Billi-
ard Table 100l.
for every Shuffle-
Board; and 100l.
for every Skittle
Alley.

Under the Penal-
ty of 500l.

Sums to be paid
for granting the
same.

Penalty on Own-
ers suffering
their Slaves to
sell without Li-
cence.

Island, for the Commanding Officer thereon for the Time being, to grant Licences to any Person or Persons who shall apply for the same, to sell by Retail any Wine, Beer, Ale, Brandy, Cider, Arrack, Geneva, or any other Spirituous Liquors (Rum excepted), every Person so to be licenced, first producing a Recommendation of him or her from the Court of Sessions, or from any Five Justices of the Peace in this Island, as a Person worthy of such Licence, and paying down into the Hands of the Treasurer for the Time being, the Sum of Thirty Pounds, current Money, for such Licence, and giving good and sufficient Security in the Secretary's Office in this Island, to be approved of by the Secretary, or his lawful Deputy, in the Sum of Five Hundred Pounds, current Money, that he or she will, in all Things, submit and conform to the Directions of this Act: And the Treasurer is hereby required, upon a Certificate from the Secretary, or his lawful Deputy, of such Security being given by any Person, to give such Person a Certificate of such Payment made to him as aforesaid, without Fee or Reward; which Certificate and Recommendation as aforesaid, being produced to the Commander in Chief for the Time being, or in his Absence, to the Commanding Officer on the Island, he shall forthwith grant a Licence, under his Hand and Seal, to the Person producing the same, to sell and retail Wine, Beer, Ale, Brandy, Cider, Arrack, Geneva, or any other Spirituous Liquors (Rum excepted), and shall and may keep Billiard-Tables, Shuffle-Boards, or Skittle-Alleys, or any other Instrument of Gaming, for the Space of One Year from the Date thereof, and no Licence shall be granted for any shorter Time whatsoever: Provided always, That no such Licence shall be given or granted to any Person whatsoever, who shall not use the Trade of selling or retailing Spirituous Liquors; and if any such Licences shall be granted, the same are hereby declared to be void to all Extents and Purposes whatsoever; neither shall any Licence be assignable, or in any wise beneficial, or extend to indemnify any Person or Persons against the Penalties of this Act, except the Person who first obtained such Licence: Provided always, That such Tavern-Keepers, or other Persons so taking out such Licences as aforesaid, keeping a Billiard-Table, Shuffle-Board, or Skittle-Alley, shall pay into the Hands of the Treasurer of this Island, as follows: For every Billiard-Table, One Hundred Pounds; For every Shuffle-Board, One Hundred Pounds; For every Skittle-Alley, One Hundred Pounds; the one Half Part thereof to be paid at the taking out such Licence, and the other Half Part thereof at the Expiration of Six Months after taking out such Licence: And provided always, That no Person whatever, except as aforesaid, shall keep any Billiard-Tables, Shuffle-Boards, and Skittle-Alleys, for Public Resort, or to make a Profit of the same, under the Penalty of Five Hundred Pounds, current Money; to be recovered, levied, and applied in Manner as is directed in and by this Act for Offences committed against the same.

III. AND be it further Enacted, by the Authority aforesaid, That the Commander in Chief for the Time being, or Commanding Officer, for signing every such Licence, shall be entitled to demand and receive the Sum of Eight Shillings and Three Pence, current Money; and the Secretary, for every such Security taken in his Office, and Certificate thereof granted by him as aforesaid, shall receive the Sum of Six Shillings, and no greater or other Reward on any Pretence whatever, any Law or Usage to the contrary thereof in any wise notwithstanding.

IV. AND be it further Enacted, by the Authority aforesaid, That if any White or Free Person, shall authorize or direct any Negro or other Slave, to sell and retail such Spirituous Liquors as aforesaid, contrary to the true Intent and Meaning of this Act, every such Person, being legally convicted thereof, shall forfeit the Sum of Five Hundred Pounds; to be recovered, levied, and applied in like Manner as all Fines hereinafter appointed are to be recovered, levied, and applied: And if any such Negro or other Slave, shall be found so offending, in any Dwelling House, Works, or Out-buildings, belonging to his Owner, or other White or Free Person having Authority over him or her, (Negro Houses on Estates and Plantations excepted), then it shall be deemed and adjusted, that his said Owner, or other Person having Authority over him or her, has authorized such selling or retailing, and incurred the Penalty aforesaid, notwithstanding there shall be no direct Proof of, or express Order for that Purpose: And if any Negro or other Slave shall, without the Order or Authority of his or her Owner, or other White or Free Person having Authority over him or her, sell or retail as aforesaid, and shall be thereof duly convicted, before any Justice of the Peace of this Island, by the Oath of any Person whatsoever, or by the Testimony of any other Slave, such Justice is hereby authorized and required, on such due Proof and Conviction, to order any such Negro or other Slave to be publicly whipped on the bare Back, with any Number of Stripes not exceeding Thirty-nine for the First Offence, Fifty for the Second Offence, and One Hundred for the Third and every subsequent Offence; and all legal and customary Fees and other Expences attending the Conviction and Punishment of every such Negro and other Slave offending, shall be paid by the Treasurer of this Island out of the Public Treasury, upon a Certificate thereof from the Justice who shall or may convict such offending Slave.

AND

V. AND be it further Enacted, by the Authority aforesaid, That from and after the Commencement of this Act, all Tavern-Keepers, Punch-House-Keepers, and other Retailers of Rum, either in Town or Country, who shall sell any less Quantity than Twenty Gallons of Rum at One Time, shall take out a Licence; And it shall and may be lawful to and for the Commander in Chief for the Time being, or in his Absence from the Island, for the Commanding Officer thereon for the Time being, to grant Licence to any Person or Persons who shall apply for the same, to sell by Retail any Quantity of Rum; every Person so to be licenced, first producing to him a Recommendation of him or her from the Court of Sessions, or from any Five Justices of the Peace in this Island, as a Person worthy of such Licence, and paying down into the Hands of the Treasurer for the Time being, as follows, *that is to say*, Such as shall take out Licence to retail Rum in any of the Towns of *Basseterre, Sandy-Point, Old-Road, and Deep-Bay*, in this Island, or within One Mile of any such Town, to pay Thirty Pounds, current Money, each; and such as shall take out Licence to retail Rum in any other Part of the Island, to pay Fifteen Pounds, current Money, each, for such Licence, and giving good and sufficient Security in the Secretary's Office of this Island, to be approved of by the Secretary, or his lawful Deputy, in the Sum of Two Hundred Pounds, current Money, that he or she will, in all Things, submit or conform to the Directions of this Act: And the Treasurer is hereby required, upon a Certificate from the Secretary, or his lawful Deputy, of such Security being given by any such Person, to give such Person a Certificate of such Payment made to him as aforesaid, without Fee or Reward; which Certificate and Recommendation as aforesaid, being produced to the Commander in Chief for the Time being, or in his Absence, to the Commanding Officer on the Island, he shall forthwith grant a Licence, under his Hand and Seal, to the Person producing the same, to sell and retail Rum for the Space of One Year from the Date thereof, and no Licence shall be granted for any shorter Time whatever: And in Case any Person or Persons shall be convicted, by the Oath of One credible Witness, of retailing Rum, contrary to the true Intent and Meaning of this Act, without having first obtained Licence, and given Security as aforesaid, he or they shall forfeit and pay the Sum of Two Hundred Pounds, current Money; to be recovered and applied as the other Fines and Forfeitures in and by this Act are directed to be recovered and applied: Provided always, That no Person whatsoever, who shall have obtained Licence, according to the Directions of this Act, shall sell or retail Rum in any more than One Place, nor shall they permit or suffer any Person to retail or sell any Rum in any other Manner whatsoever, nor shall any such Licence be transferrable in any Case whatsoever, under the Penalty of Two Hundred Pounds; to be recovered and applied in the same Manner that other Forfeitures are in and by this Act directed to be recovered and applied.

VI. AND be it further Enacted, by the Authority aforesaid, That all Persons who shall barter Punch, or change Rum mixed or pure, for Hogs, Goats, Fowls, or any other Provision, or any Necessaries, shall be deemed Retailers of Rum within this Act, and shall be liable to all Penalties imposed by this Act for retailing Rum without Licence.

VII. AND whereas it hath been found by Experience, that the Duties laid and imposed by former Acts, on Retailers of Spirituous Liquors, have been greatly diminished, by many Persons continuing fraudulently to retail such Liquors after the Time limited in their Licence for that Purpose hath expired, without applying for a new Licence, according to the true Intent and Meaning of this Act: For Remedy whereof, Be it Enacted, by the Authority aforesaid, That if any Person who hath taken out a Licence or Licences, pursuant to the Directions of this Act, shall neglect for the Space of Eight Days after the Expiration of the Time limited for the Continuance of such Licence or Licences, to apply for a new Licence or Licences, and shall be found selling any Spirituous Liquors after such Term of Eight Days hath elapsed, such Person being thereof duly convicted, shall not only forfeit and pay the Sum of Five Hundred Pounds, hereinbefore directed and imposed, in Case of Persons selling Liquors without Licence; but shall be also rendered incapable of taking out any Licence for that Purpose for the Space of Twelve Months next ensuing such his or her Conviction, any Thing contained in this Act to the contrary thereof in any wise notwithstanding.

VIII. AND to the Intent that all Persons, who shall be duly authorized and empowered, to sell and retail Spirituous Liquors, by Virtue of this Act, may be better and more generally known, and Offenders against the same more easily discovered, Be it Enacted, by the Authority aforesaid, That a Register or Calendar, containing the Names of all Persons, to whom Licences for selling Spirituous Liquors only, shall from Time to Time be granted, shall be kept separate and hung up in the Secretary's Office, open to Inspection; and that every Person to whom such Licence or Licences shall be so granted, shall cause such Licence or Licences to be affixed to the Wall or Wainscot, or pasted on Board or Paste-board, and hung up in some conspicuous Part, most open to Public View, of the House or Room where such Person shall carry on or use the Trade of selling Spirituous

1789.

No Person to sell less than 20 gallons of Rum without Licence.

30^l. to be paid for Licences to sell Rum in the Towns.

15^l. to be paid for Licences to sell Rum in the Country.

Under the Penalty of 200^l.

Proviso, That no Person shall sell Rum in more than one Place, nor to transfer Licences, under the Penalty of 200^l.

Persons exchanging Rum for Hogs, &c. to be deemed Retailers.

Penalty on Persons selling Spirituous Liquors after the Expiration of their Licences, without renewing them.

Register of Licenced Persons to be hung up in the Secretary's Office,

and to affix Signs to their Houses,

1789.

and their Names
to be advertised
in the Public Pa-
pers once a
Month,

under the Penal-
ty of 20*l*.

Penalty of 50*l*.
for Persons set-
ting up Stills in
the Towns, and
Forfeiture of Li-
quors distilled.

No Tavern-
Keeper or Re-
tailer to receive
of Soldiers, Sail-
ors, &c. above
Six Shillings.

Penalty on Ta-
vern-Keepers,
&c. for harbouring
Soldiers, &c.

Method of Tri-
al and Convic-
tion for any Of-
fence committed
against this Act.

Spirituous Liquors without Licence, to all Intents and Purposes, and suffer accordingly; and the Names of such Persons shall also be published in the News-Papers of this Island once in each Month, during the Continuance of this Act, by the Treasurer, he specifying the Nature of their Licences, whether for retailing Spirituous Liquors generally, or only as Retailers of Rum: And all Persons who shall neglect to affix such Licence or Licences, in Manner as aforesaid, shall forfeit and pay the Sum of Twenty Pounds, to be levied and applied in such Manner as the Fines and Forfeitures are herein directed to be levied and applied.

IX. AND be it further Enacted, by the Authority aforesaid, That no Person or Persons whatever shall or may set up any Still or Stills, to distil or make Rum in any Town of this Island, upon Pain to forfeit and pay for every such Offence, the Sum of Five Hundred Pounds, current Money; and also to forfeit all such Quantities of Rum as shall be distilled or made, contrary to the true Intent and Meaning of this Act.

X. AND whereas several Tavern-Keepers and Retailers of Spirituous Liquors have been and are frequently guilty of harbouring, entertaining, and concealing Soldiers, Sailors, White Servants, Negro and other Slaves, whereby the Two first are encouraged and abetted in neglecting their Duty in the Regiments, and on board the Ships and Vessels whereunto they belong, and the last to injure their Masters by the Loss of their Service, and to commit very great Disorders: For Remedy whereof, and for the more effectual Discouragement of such Practices for the future, Be it Enacted, by the Authority aforesaid, That if any Tavern-Keeper or Retailer of Spirituous Liquors, do or shall trust any Soldier belonging to any of the Regiments quartered in this Island, or Seaman or Sailor belonging to any Vessel riding at Anchor in any of the Roads, Creeks, or Bays of this Island, and not legally discharged by a Certificate under the Hand of the Commanding Officer of such Regiment, or the Master or Mate of such Ship or Vessel, (without which he shall be still deemed to belong to such Regiment, Ship, or Vessel) or shall trust any hired or indentured Servant belonging to any Inhabitant or Plantation of this Island, for Victuals and Drink, or any Sort of Spirituous Liquors, or Rum, Diet, Washing, Lodging, Money, either on Bond or Note, or any other Kind of Security, or for any other Matter or Thing whatever, such Tavern-keeper or Retailer of Spirituous Liquors, so trusting any Soldier, Sailor, or hired or indentured Servant, shall be absolutely debarr'd from bringing or maintaining any Action of Law, and from arresting, detaining, or any other wise proceeding against such Soldier, Seaman, Sailor, or Servant, for any such Debt so contracted, beyond or above the Value of Six Shillings, current Money, any Law, Act, Usage, or Custom to the contrary thereof in any wise notwithstanding.

XI. AND be it further Enacted, by the Authority aforesaid, That if any such Tavern-Keeper or Retailer of Spirituous Liquors as aforesaid, shall harbour or receive any Soldier belonging to any of the Regiments quartered in this Island, or any Seaman or Sailor belonging to any Ship or Vessel lying at Anchor in any of the Roads, Creeks, or Bays of this Island, without a Ticket from the Commanding Officer of the Regiment, or Master or Mate of the Ship or Vessel to which he belongs, after the Hour of Seven of the Clock at Night, or shall after that Hour, harbour or receive any hired or indentured Servant, belonging to any Inhabitant or Plantation in this Island, or any Negro or other Slave, without the Permission of the respective Master or Mistress of such Servant or Slave, or his or her Representative, Manager, or White Overseer, or shall at any Time of the Day or Night, conceal, or permit, or suffer to remain in any House or Yard belonging to him or her, such Soldier, Sailor, Servant, or Slave, who shall be enquired for, for the Space of One Hour, after he or she shall be so forewarned or forbid so to do, by the Commanding or other Officer of the Regiment, or Master or Mate of the Ship or Vessel, to which such Sailor shall belong, or by the Master or Mistress of such Servant or Slave, or his or her Representative, Manager, or White Overseer, such Tavern-keeper or Retailer of Spirituous Liquors, in either of the said Cases, being thereof convicted, before any Two Justices of the Peace of this Island, by the Oath of the Commanding Officer of such Regiment, or of the Master or Mate of such Ship or Vessel, or the Master or Mistress of such Servant or Slave, or his or her Representative, Manager, or White Overseer, so forbidding, or by the Oath of One credible Witness, shall *ipso facto* forfeit and be deprived of his or her Licence for selling Liquors or Rum, and also incur and suffer the same Penalty and Forfeiture as in and by this Act is laid and imposed, or directed in Case of Persons selling Spirituous Liquors without Licence.

XII. AND be it further Enacted, by the Authority aforesaid, That it shall and may be lawful for any Justice of the Peace of this Island, and he is hereby authorized and required, upon any Information or Complaint made to him in that Behalf, or upon his own View or Knowledge, to issue his Warrant to any Constable of this Island, for bringing the Party or Parties accused before him and any other, or before any Two Justices of the Peace, so as neither of them be a Justice of the Court of King's Bench and Common Pleas, and such Two Justices shall hear and determine the Matter of such Information or Complaint, and

and upon due Proof of the Offence, by the Oath of any One or more credible Witnesses or Witnesses, shall proceed to Judgment and Conviction thereupon: And if the Party so convicted, shall not forthwith pay down the Sum so forfeited by him or her, for his or her respective Offence, such Justices, or either of them, shall issue his or their Warrants to the Provost Marshal of the Island, or his lawful Deputy, commanding him to levy the Penalties, together with the Costs attending the levying the same, out of the Offender's Goods and Chattels, Lands and Tenements: And if such Offender shall have no Goods or Chattels, Lands or Tenements within this Island, sufficient to answer the same, such Justices, or either of them, shall, by Warrant under their Hands and Seals, or under the Hand and Seal of either, commit every such Offender to the Common Gaol of this Island, there to remain for the Space of Six Months, or until he or she shall pay and satisfy the Sum of Money so forfeited, with all Costs and Charges attending the Prosecution (such Costs to be taxed by the said Two Justices) over and above the Gaol Fees: Provided always, and it is hereby Enacted, That every Person charged with any Offence against this Act shall be tried and convicted within the Space of Five Days after he or she shall be apprehended, unless it shall appear by the Oath of the Prosecutor, that the Witness or Witnesses to prove the Offences cannot be so soon procured, in which Case the said Justices shall be empowered to enlarge the Time for such Trial, as the Case shall require, so as the same do not exceed Twenty-one Days from the Time of such Person being brought before them, and such Person shall be set at Liberty, upon entering into a Recognizance, with One good Security, in a reasonable Penalty, to be approved of by the said Justices, for his or her Appearance before them, or any Two Justices, on the Day to which such Trial is enlarged: And if it shall appear to the Satisfaction of the said Two Justices, that any Person or Persons can give or offer material Evidence on Behalf of the Prosecutor or Person accused, and will not voluntarily appear before such Justices to be examined, and give his, her, or their Evidence concerning the Premises, every such Justice and Justices is and are hereby authorized and required, to issue his or their Summons, to convene every such Person or Persons before them, to be examined upon Oath concerning the Premises: And if any Person so summoned, shall neglect or refuse to appear on such Summons, and no just or sufficient Excuse shall be offered for such Neglect or Refusal, then, after Proof upon Oath of such Summons having been duly served upon him, her, or them, any such Justice or Justices is and are hereby required to issue his or their Warrant to bring such Witness or Witnesses before them: And if any such Witness, upon his or her Appearance, or being brought before any such Justice, shall refuse to be examined upon Oath (which the said Justices, or One of them, are and is hereby authorized and empowered to administer,) concerning the Premises, without offering any just or sufficient Cause for such Refusal, it shall be lawful for any such Justice or Justices, by Warrant under his or their Hands and Seals, to commit every Person so refusing to the Common Gaol of this Island, there to remain for any Time not exceeding Three Months, as any such Justice or Justices shall direct.

Justices to sum-
mon Persons to
give Evidence.

Penalty for not
appearing.

XIII. And be it further Enacted, by the Authority aforesaid, That the Justices before whom any Person shall be convicted, in Manner prescribed by this Act, shall cause such respective Conviction to be drawn up in the Form, or to the Effect following, (that is to say)

St. Christopher.

BE it remembered, That on the _____ Day of _____ in the _____
Year of the Reign of His Majesty, _____ is convicted of _____
before Us, Two of His Majesty's Justices of the Peace for the said Island, and We do adjudge him _____
or her to forfeit for the same, the Sum of _____ current Money. Given un-
der our Hands and Seals the Day and Year aforesaid.

Form of Con-
viction.

And the Justices shall cause the same to be drawn up in the Form aforesaid, and filed in the Secretary's Office of this Island.

XIV. And be it further Enacted, by the Authority aforesaid, That if any Person convicted of any Offence, made punishable by this Act, shall think him or herself aggrieved by the Judgment of the Justices before whom he or she shall have been convicted, such Person may appeal to the Court of King's Bench and Common Pleas of this Island; which said Court, or in Case the said Court shall not be then sitting, the Chief Justice, or any other Justice of the said Court, shall, upon Application for that Purpose, grant His Majesty's Writ of *Certiorari* or *Habeas Corpus*, as the Case may require; and upon Return thereof, proceed to hear and finally determine the Matter of such Appeal: Provided always, That before any such Writ shall issue or be granted, the Persons so appealing shall give good and sufficient Security before the said Chief Justice of the said Court, such as he shall approve of, to pay and satisfy the Fines and Forfeitures so adjudged, with Costs, to the Prosecutor;

Certiorari or *Ha-
beas Corpus* to
Persons convict-
ed applying for
the same,

on giving Secu-
rity.

A a a

and

1789.

Penalties & Forfeitures how to be disposed of.

and also all such further Costs as the said Court shall award, in Case the Sentence of the said Justices shall be affirmed.

XV. AND be it further Enacted, by the Authority aforesaid, That all Monies arising from the Rates, Taxes, and Impositions in and by this Act imposed and to be raised, shall remain in the Hands of the Treasurer, for defraying the Public Expenses of the said Island, until such Time as Orders are issued upon him by the Commander in Chief, or the Commanding Officer on the Island for the Time being, by and with the Advice and Consent of the Council, and under the Approbation of the Assembly of the said Island, and to and for no other Use, Intent, or Purpose whatsoever: And all the Fines, Forfeitures, and Penalties hereby above laid, imposed, and directed, shall go and be paid in Manner following, (*that is to say*) Two Thirds thereof into the Hands of the Treasurer for the Time being, to the Uses aforesaid; and the other Third to such Person or Persons who shall inform against the Offender or Offenders against this Act: And the Treasurer is hereby required to keep a separate and distinct Account of the Receipt and Payment of all Monies in any Manner arising by Virtue of this Act, which shall be received and paid by him; and no Treasurer shall disburse, pay, or lay out, any such Monies (except deducting his Poundage hereinafter mentioned for collecting and receiving the same), but to and for the Uses and Purposes to which the same by this Act are applied, upon Pain to forfeit and lose, and not to be allowed in his Accounts any such Disbursements and Payments as shall be so made, contrary to the true Intent and Meaning of this Act; and all Orders and Warrants for issuing, paying, or disposing of any such Monies, contrary to the Provisions of this Act shall be utterly void, to all Intents and Purposes whatsoever.

Treasurer's Poundages.

Treasurer to give in true Accounts.

under the Penalty of 500*l*.

General Issue.

Double Costs.

Public Act.

XVI. AND be it further Enacted, by the Authority aforesaid, That the Treasurer for the Time being, shall and may deduct, receive, and take to his own Use out of such Monies as shall from Time to Time arise by Virtue of this Act, after the Rate of Five Pounds for every Hundred Pounds, current Money, so collected and raised, and so in Proportion for any less Sum: And that the Treasurer shall Yearly and every Year during the Continuance of this Act, or oftener if thereto required, lay before the Council and Assembly of this Island, or a Committee of both or either, for that Purpose to be appointed, true Accounts of all Receipts, Payments, and Disbursements of all Monies collected and raised by Virtue of this Act, in Order to their being examined and passed by the said Council and Assembly; and in Case of Neglect or Refusal so to do, the said Treasurer, his Heirs or Securities, shall forfeit and lose the Sum of Five Hundred Pounds, current Money; to be recovered against him or them by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record in this Island, wherein there shall be no Effoign, Protection, or Wager of Law; and when recovered to be applied in Manner hereinbefore declared concerning the Taxes, Rates, and Impositions laid by this Act.

XVII. AND be it Enacted, by the Authority aforesaid, That if any Action, Suit, or Information, shall be commenced or prosecuted against any Person or Persons, for any Matter or Thing which he, she, or they shall do, or cause to be done, in Pursuance of any Powers, Authorities, Orders, or Directions of this Act, such Person or Persons, so sued or prosecuted, in any Court whatsoever, may plead the General Issue, and give this Act and the Special Matter in Evidence: And if in any such Action or Suit, the Plaintiff or Prosecutor shall be nonsuited, or forbear Prosecution, or discontinue the Suit or Action; or if a Verdict shall pass against him, or Judgment be given against him, by Default or Demurrer, then in any of the said Cases, the Defendant or Defendants shall recover double Costs, for which he, she, or they shall have the like Remedy as where Costs are by Law awarded to other Defendants.

XVIII. AND be it further Enacted, by the Authority aforesaid. That this Act shall be taken and allowed as a Public Act in all Courts within this Island; and all Judges, Justices, and others concerned therein, are hereby required to take Notice thereof as such, without being specially pleaded, and shall continue in Force for the Space of Three Years from the Publication thereof, and from thenceforward until the End of the then sitting Assembly. Dated in Saint Christopher's, this Eighteenth Day of February, in the Twenty-ninth Year of the Reign of our Sovereign Lord GEORGE the Third, by the Grace of GOD, of Great-Britain, France, and Ireland, King, Defender of the Faith, and so forth, and in the Year of our Lord One Thousand Seven Hundred and Eighty-nine.

Read and passed the Assembly, the } JOHN GARNETT, { Read and passed the Council, this
11th Day of December, 1788. } Speaker. { 21st Day of January, 1789.
JAMES WARD, Clerk of Assen. E. MOORE, Clerk of Council.

JOHN L. S. NUGENT.

Saint Christopher's. Published in the Town of Basseterre, on Friday the Twentieth, and in the Towns of Old-Road and Sandy-Point, on Saturday the 21st of February, 1789.

1786.

GEO. BERKELEY, *Dep. Pro. Marshal.*

Recorded and examined the 23d February, 1789.

E. MOORE, *Dep. Sec.*

No. 282.

An Act to encourage the Cultivation of Cotton in this Island.

Expires in 1792.

No. 283.

An Act for punishing Vagrants, Vagabonds, and other idle and disorderly Persons, and for punishing Masters of Vessels who do not give Bond in the Secretary's Office of this Island, for landing or suffering to be landed, any Sailor or other Persons, whereby any of the Parishes within this Island may become chargeable therewith.

WHEREAS the Number of Vagrants, Vagabonds, and other idle and disorderly Persons have greatly increased within this Island, by Reason of Vessels lying off and on the different Roads, Bays, or Creeks of this Island, by putting, or causing to be put on Shore, Foreigners and other Persons who have been sick, or otherwise rendered incapable of Duty, by Reason of their loose, idle, and disorderly Conduct, and who have been transported from other Islands, to the great Scandal of this Island, and to the Annoyance of its Inhabitants: For Remedy whereof, We, Your Majesty's most dutiful and loyal Subjects, the Commander in Chief, for the Time being, of all Your Majesty's Leeward *Charribbee* Islands in *America*, and the Council and Assembly of the said Island of Saint *Christopher*, do Pray Your most Excellent Majesty, that it may be Enacted; And be it, and it is hereby Enacted, by the King's most Excellent Majesty, by and with the Advice and Consent of the said Commander in Chief, for the Time being, of all His Majesty's Leeward *Charribbee* Islands in *America*, and the Council and Assembly of the said Island of Saint *Christopher*, and by the Authority of the same, That from and after the Publication of this Act, all Persons who shall be found going from Door to Door, or placing themselves in the Streets, Highways, or Passages in this Island, or wandering in the same, or who shall be found wandering in the several Plantations in this Island, without being able to give an Account of their having any Place of Abode, or exercising any Employment in this Island, shall be deemed idle and disorderly Persons, and it shall and may be lawful for any Justice of the Peace within this Island, to commit such Offender, being thereof convicted before him, by his own View, or by their own Confession, or by the Oath of One or more credible Witnesses, to the Common Gaol of this Island, there to be kept to hard Labour, for any Time not exceeding Twenty Days, or to direct such Offender or Offenders, to be put on Board any of His Majesty's Ships of War on this Station, in such Manner as such Justice of the Peace shall think proper: And in Case the Commander or Commanders of such Ship or Ships of War shall not have Occasion for, or refuse to receive on Board such Vagrant or Vagrants, Offender or Offenders, that then it shall and may be lawful to and for such Justice or Justices, and they are hereby empowered, by Warrant under his or their Hand and Seal, or Hands and Seals, to cause and order such Offender or Offenders to be conveyed to *Brimstone-Hill*, there to be employed under the Directions of the Supervisor for the Time being, in some necessary Work and Labour, in and about the fortifying *Brimstone-Hill*, and there to remain so employed until such Offender or Offenders shall or may give Security for his or their good Behaviour, to betake him or themselves to some Service or other Employment, or until he or they shall be thence discharged by Order of the Justices of the Court of Sessions, to be held in and for this Island.

Preamble.

Description of Vagrants, & Punishment of such Offenders.

II. AND be it further Enacted, by the Authority aforesaid, That the Supervisor for the Time being, of the Public Works and Fortifications of the said Island, shall occasionally, and as often as he shall be required, report to and deliver in upon Oath, (if required) to the Council and Assembly of this Island, a Detail of the Duty or Work, State and Condition of all and every such Vagrant and Vagrants, Offender and Offenders, that he may from Time to Time have under his Direction and Charge as aforesaid; and such Supervisor is hereby directed and empowered to find and provide each and every such Vagrant and Vagrants, Offender and Offenders, with substantial coarse Cloaths as shall or may be absolutely necessary

Supervisor to make Return of Offenders to the Council and Assembly, and to provide necessary Food & Raiment for the same.

fary

1789.

fary for such Vagrant or Vagrants, Offender or Offenders, at the Public Expence, and to allow and give to each of them the same Rations as are usually given out to, and daily or otherwise distributed among the Workmen and other Labourers employed in and about the Public Works of the Hill, at the Public Expence.

Any Person to apprehend Offenders, and carry them before a Justice of Peace.

III. AND be it further Enacted, by the Authority aforesaid, That it shall and may be lawful for any Person to apprehend and carry before any Justice of the Peace in this Island, any such Persons going about from Door to Door, or placing themselves in the Streets, Highways, or Passages, or wandering in or about any of the Plantations in this Island, to beg or gather Alms as aforesaid; and if they shall resist, or escape from the Person apprehending them, they shall be subject to the same Punishment as Rogues and Vagabonds are made liable to by this Act.

Penalty on Constables neglecting to apprehend Offenders.

IV. AND be it further Enacted, by the Authority aforesaid, That in Case any Constable shall refuse or neglect to use his best Endeavours to apprehend and convey to some Justice of the Peace in this Island, such idle and disorderly Persons, as shall be found within the Parish or District of such Constable, he shall be punished in such Manner as hereinafter is directed; and such Constable, who shall so apprehend and convey such idle and disorderly Persons as aforesaid, to any Justice of the Peace within this Island, in Manner as by this Act is directed, shall receive from the Public Treasurer of this Island, the Sum of Thirty-three Shillings, current Money, for apprehending such Vagrant, Vagabond, or idle and disorderly Person, and at the Rate of One Shilling, current Money, per Mile for each Mile such Constable shall convey such Person or Persons as aforesaid, in Pursuance of the Order of such Justice or Justices, on producing a Certificate from the said Justice of his having apprehended and conveyed to him, and to such Place or Places as such Justice or Justices shall order, any such idle and disorderly Persons as aforesaid: And the Treasurer is hereby directed to pay such Sum of Money as aforesaid, within Six Days after having seen such Certificate, under the Penalty of Three Pounds, current Money, for each Refusal or Neglect, to be recovered by Warrant under the Hands and Seals of any Two of His Majesty's Justices of the Peace in this Island, directed to the Provost-Marshal, or his lawful Deputy, and to be levied by Distress and Sale of the said Treasurer's Goods and Chattels, he rendering the Overplus (if any) to such Treasurer as aforesaid: Provided such Treasurer shall have sufficient Money in his Hands, at the Time of producing such Certificate, to pay such Demand as aforesaid, otherwise the said Treasurer to pay such Sum of Money as soon as there shall be any Public Money in the Treasury.

Reward for apprehending Offenders.

Penalty on Treasurer refusing to pay same within 6 Days.

Punishment for Second Offence.

V. AND be it further Enacted, by the Authority aforesaid, That if any idle or disorderly Person or Persons, after having been once legally convicted and punished as aforesaid, shall be found going from Door to Door, or placing themselves in the Streets, Highways, or Passages, in this Island, or who shall be found wandering in the several Plantations as aforesaid, the Justice before whom such idle and disorderly Person is conveyed, shall, and is hereby required, to commit such idle and disorderly Person or Persons as aforesaid, to the Common Gaol of this Island, to hard Labour, until the next Court of Sessions: And if the Justices of the said Court, on Examination of the Circumstances of the Case, adjudge the Person who was committed as aforesaid, to be an incorrigible Rogue, they may order him to be detained, for any Time not exceeding Three Months, to be kept to hard Labour: Provided always, That the said Justice or Justices shall and may direct such Person or Persons to be put on Board any of His Majesty's Ships of War on this Station, or sent to *Brimstone-Hill*, for the Purposes aforesaid, any Thing herein contained to the contrary in any wise notwithstanding.

Punishment on Offenders for resisting or escaping.

VI. AND be it further Enacted, by the Authority aforesaid, That if any idle or disorderly Persons as aforesaid, shall be convicted before any One of His Majesty's Justices of the Peace of this Island, of having resisted or escaped from any Person or Persons apprehending them as aforesaid, such idle and disorderly Persons shall be committed in like Manner as last is above directed, and being thereof found guilty, on Examination before the Justices of the Court of Sessions, shall suffer the same Punishments, and in like Manner as is last before directed.

Punishment on Constable for neglecting his Duty.

VII. AND be it further Enacted, by the Authority aforesaid, That in Case any Constable shall refuse or neglect to use his best Endeavours to apprehend or convey to some Justice of the Peace within this Island, such idle and disorderly Persons as aforesaid, and being thereof convicted by the Oath of One or more credible Witnesses, before any One of His Majesty's Justices of the Peace in this Island, he shall forfeit and pay for every such Refusal or Neglect, the Sum of Ten Pounds, current Money; to be levied by the Distress and Sale of the Goods and Chattels of the said Constable, by Warrant under the Hand and Seal of the said Justice of the Peace, directed to the Provost-Marshal of this Island, or his lawful Deputy, he rendering the Overplus (if any) after deducting the Charges of such Distress and Sale, to the Constable offending as aforesaid: And in Case such Constable shall have no Goods or Chattels, whereon such Distress can be made, then such Constable shall

shall stand committed to the Common Gaol of this Island, by Warrant under the Hand and Seal of such Justice or Justices for the Space of Five Days.

VIII. AND be it further Enacted, by the Authority aforesaid, That where it shall appear to the Satisfaction of the Justices of the Court of Sessions, that any idle or disorderly Person as aforesaid, was not born in this Island, and is ready and willing to return to the Place of his Birth, or to any other Place, but unable to pay the Expences of the Voyage, that then, and in such Case, the Justices of the said Court may direct the Treasurer of this Island, or his lawful Deputy, to agree and pay the Master or Commander of any Vessel trading to and with this Island, for transporting and carrying such Person as aforesaid, and for providing for him during the Voyage, according to the Nature and Distance of the Place, the Sum or Sums hereinafter mentioned; viz. To the Kingdom of *Great-Britain* or *Ireland*, the Sum of Twenty Pounds, current Money; to any of His Majesty's Colonies in *North America*, the Sum of Ten Pounds, like Money; and to any of the West-India Islands; being above Fifty Leagues distant, Six Pounds, like current Money; and if under Fifty Leagues, Thirty Shillings, like Money: Provided always, That nothing hereinbefore contained shall affect, or tend to affect, such Person or Persons as shall have been shipped on Board any of His Majesty's Ships of War as hereinbefore directed:

IX. PROVIDED always, and be it further Enacted, by the Authority aforesaid, That if any Vagrant, Vagabond, or other idle and disorderly Person shall return to this Island, after having been transported therefrom, agreeable to the Directions of this Act, and shall be found going about from Door to Door, or placing themselves in the Streets, Highways; or Passages, to beg Alms as aforesaid, that then and in such Case, it shall and may be lawful for any Justice of the Peace within this Island, to commit such Offenders to the Common Gaol of this Island, there to remain until the next Court of Sessions; and if the said Offenders shall be convicted of having returned to this Island, in Manner aforesaid, such Offenders shall suffer Twelve Months Imprisonment, be put to hard Labour, and corrected by whipping, at the Discretion of the Justices of the said Court.

X. AND be it further Enacted, by the Authority aforesaid, That if any Master of any Vessel whatsoever, coming into any of the Roads, Bays, or Creeks of this Island, or hovering or lying off and on the same, shall after the Publication of this Act, put from on Board his Vessel and land, or cause, permit, or suffer to be landed or put from on Board his Vessel, any Person or Persons whatsoever, who shall or may be of ill Fame or Repute, or who shall or may have been transported from any Island or Place whatsoever, or who shall be sick and disabled, or otherwise rendered incapable of Employment, and who from their Poverty and Situation, is and are likely to become burthensome to and chargeable on any of the Parishes within this Island, or who shall be subject to the Penalties inflicted on Vagrants, by Virtue of this Act, without having previously given such Security in the Secretary's Office of this Island as is required, and directed to be given in and by an Act passed in the Sixth Year of His present Majesty's Reign, intituled, "*An Act for the better regulating of Seamen and Sailors, and obliging all Masters of Ships and other Vessels to take Care of their sick Seamen and Sailors,*" and giving also good and sufficient Security in the Secretary's Office of this Island, that such Person or Persons shall not become burthensome to and chargeable on any of the Parishes of this Island, or a Public Nuisance, that then, and in such Case, the Master of such Vessel so offending, shall forfeit and pay the Sum of Fifty Pounds, current Money, for every Person he shall so as aforesaid put on Shore, or shall cause, permit, and suffer to be landed and put on Shore, without giving such Security as aforesaid, upon the Information and Oath of any One or more Person or Persons, or upon the Information and Oath of the Person or Persons so by him put on Shore, or caused, permitted, or suffered to be put on Shore, before any One or more Justices of the Peace of this Island; to be levied on the Goods and Chattels of such Offender, by Warrant under the Hands and Seals of any Two or more Justices of the Peace within this Island, directed to the Provost-Marshal, or his lawful Deputy, by Distress and Sale of the said Offender's Goods and Chattels, he rendering to the said Offender the Overplus, if any: And the said Provost-Marshal, or his lawful Deputy, is hereby directed and required to pay forthwith into the Public Treasury of this Island, the aforesaid Penalty, first deducting thereout all legal and reasonable Fees attending the Prosecution of such Offender, to be paid and applied towards the Expences of the Public, or for such other Uses and Purposes as the Commander in Chief for the Time being, by and with the Advice and Consent of the Council and Assembly, shall order and direct: And if such Master of such Vessel shall not have sufficient Goods and Chattels whereon such Distress can be made, or shall not satisfy and pay off the said Penalty with Cost, then the said Vessel out of which such Person or Persons described as aforesaid, shall be landed, or attempted to be landed and put on Shore, shall be liable and subject to the Penalty of Fifty Pounds for every Person or Persons under the aforesaid Description, as shall or may be landed or put on Shore as aforesaid, and shall be arrested and detained by Warrant under the Hands and Seals of any Two or more Justices of the Peace within the

1789.

Expences of transporting Offenders from the Island.

Punishment on Offenders returning to the Island after Transportation.

Penalty on Masters of Vessels landing such Persons as aforesaid.

How to be levied.

1789.

said Island, directed to the Provost-Marshal, or his lawful Deputy: And the said Provost-Marshal, or his lawful Deputy, is hereby authorized and directed to proceed to a Sale of such Vessel in Ten Days after the Arrest and Seizure made, unless the Owner or Owners, or some other Person for him or them, shall in the mean Time pay off and discharge the Sum forfeited, with all legal Fees; the One Half of which Penalty shall, by the said Provost-Marshal, or his lawful Deputy, be paid immediately into the Public Treasury of this Island, for the Use of the Public; and the other Half to such Person or Persons who shall inform, and sue and prosecute for the same.

Penalty on Persons landing them in Canoes or other Boats.

XI. AND be it further Enacted, by the Authority aforesaid, That if any Canoe or other Boat, shall land, or attempt to land and put on Shore as aforesaid, any Person or Persons of the Description aforesaid, such Canoe or other Boat shall, in like Manner, be forfeited and sold, (Proof being first made as hereinbefore is required, in the Case of Vessels) and the Negro and other Slaves plying in such Canoe or Boat, shall be severally publicly whipped by the Order or Warrant of any Justice or Justices, not exceeding Thirty Lashes: But if the Persons so plying in such Canoe or Boat, be White, or Persons of Colour and free, then such Offenders shall severally forfeit and pay the Sum of Ten Pounds; to be levied, recovered, and applied in Manner hereinbefore mentioned: And for Want of sufficient Goods and Chattels to satisfy the said Forfeitures and Penalties, with Costs, then the said Offenders shall be committed to the Common Gaol, by Warrant under the Hands and Seals of any Two or more Justices of the Peace, for any Number of Days not exceeding Twenty Days: Provided always, That nothing hereinbefore Enacted, shall tend to prevent the Operation and due Performance of an Act passed in the Sixth Year of His Majesty's Reign, intituled, "*An Act for the better regulating of Seamen and Sailors; and obliging all Masters of Ships and other Vessels to take Care of their sick Seamen and Sailors*"; and the Justices of the said Court are hereby required to examine such idle and disorderly Persons as aforesaid, whether he or she have been left on Shore in this Island, to become chargeable to any of the Parishes thereof, by the Master or Commander of any Ship or Vessel, on Account of Sicknefs or Disability.

A Room to be allotted in the Gaol to confine Offenders, and put them to hard Labour.

XII. AND be it further Enacted, by the Authority aforesaid, That a Room shall be allotted in the Public Gaol of this Island, for the Reception of all Offenders against this Act: And the Provost-Marshal, or his lawful Deputy, is hereby required to put to hard Labour, all Persons committed to his Charge and Custody, and offending as aforesaid, for which he shall receive for the Confinement of each Offender, at the Rate of One Shilling and Six Pence, current Money, each Day, for so long a Time as such Person shall continue in his Charge or Custody, to be paid by the Treasurer of this Island, by an Order from the Commander in Chief on the said Island, under the Approbation of the Council and Assembly of the said Island: And the Provost-Marshal, or his lawful Deputy, is hereby required to use the most diligent Means of finding Necessaries, setting to Work, and correcting all idle and disorderly Persons committed as aforesaid: And if the said Provost-Marshal, or his lawful Deputy, do not set to Work, and punish such Person or Persons, agreeable to the Directions of this Act, he shall be fined by the Justices of the Court of Sessions, on being duly convicted thereof, in the Sum of One Hundred Pounds, current Money; such Money to be applied to the Use of the Public of this Island.

Penalty on Marshal for not doing the same.

General Issue.

Treble Costs.

XIII. AND be it further Enacted, by the Authority aforesaid, That if any Person or Persons shall be sued for any Matter or Thing which he or they shall do in Execution of this Act, he or they may plead the General Issue, and give the Special Matter in Evidence: And if a Verdict shall pass for the Defendant, or the Plaintiff shall be nonsuited, or discontinue his Action, the Defendant may recover Treble Costs, for which he or they shall have the like Remedy, as any other Defendant and Defendants hath or have, for Costs of Suit in any other Action or Actions. Dated at Saint Christopher, the Fifteenth Day of May, in the Twenty-Ninth Year of the Reign of our Sovereign Lord GEORGE the Third, by the Grace of God, of Great-Britain, France, and Ireland, King, Defender of the Faith, and so forth, and in the Year of our Lord One Thousand Seven Hundred and Eighty-nine.

Read and passed the Assembly, the } JOHN GARNETT, { Read and passed the Council, the
30th Day of March, 1789. } Speaker. { 30th Day of March, 1789.
JAMES WARD, Clerk of Assen. E. MOORE, Clerk of Council.

J O H N L. S. N U G E N T.

Saint Christopher's. Published in the several Towns of Basseterre, Old-Road, and Sandy-Point, on Monday the 18th Day of May, in the Year of our Lord 1789, and in the 29th Year of His Majesty's Reign. GEO. BERKELEY, Dep. Pro. Marshal.

Recorded and examined the 19th Day of May, 1789.

E. MOORE, Dep. Sec.

An

An Act to amend and make more effectual, an Act intituled, "An Act to oblige all Owners, Renters, and Possessors of Slaves in this Island, to send a Proportion of the same, to be employed on Brimstone-Hill, and the Works necessary for its Defence."

WHEREAS an Act, dated the Fifth Day of *December*, in the Year of our Lord One Thousand Seven Hundred and Eighty-five, and intituled, "*An Act to oblige all Owners, Renters, and Possessors of Slaves in this Island, to send a Proportion of the same, to be employed on Brimstone-Hill, and the Works necessary for its Defence,*" is found by Experience defective, and some further Regulations are become necessary; To answer the Purposes intended by the said Act, We, Your Majesty's most dutiful and loyal Subjects, the Governor in Chief of Your Majesty's Leeward *Charribbee* Islands in *America*, and the Council and Assembly of this Your Majesty's Island of Saint *Christopher*, pray Your most Excellent Majesty that it may be Enacted and Ordained; And be it, and it is hereby Enacted and Ordained, by the Authority of the same, That from and immediately after the Publication of this Act, it shall and may be lawful for the Commissioners hereinafter named, or any Three or more of them, of whom the President of the Council, and Speaker of the Assembly, (if upon the Island,) shall be Two, whenever it shall be deemed necessary, to issue a Notice or Summons in Writing, under their Hands, and to cause the same to be inserted in the several News-Papers or Gazettes of this Island, requiring the different Owners, Renters, and Possessors of Slaves within the said Island, to send, for any Period not exceeding Three Months, the Proportion of One able Negro Man for every One Hundred Slaves which they own, rent, or possess: And every Negro Slave so sent, shall be furnished with such Tools and Utensils as shall be specified in the said Notice or Summons, and shall be employed on *Brimstone-Hill*, and the Works necessary for its Defence, during such Time not exceeding the Space of Three Months, as in the said Notice or Summons shall be mentioned.

Preamble

Commissioners to issue Warrants for calling out Negroes.

II. AND be it further Enacted, by the Authority aforesaid, That every Owner, Renter, or Possessor of Slaves, who shall neglect to send such a Proportion of his Slaves, as in the said Notice or Summons shall be specified, furnished with such Tools and Utensils as shall be therein mentioned, and to be employed in such Manner as is thereby directed, shall forfeit every Day, for every Slave whom he shall so neglect to send, the Sum of Six Shillings, current Money, to be levied, together with all the Cost of the said Levy, and of the Warrant and Sale, on any of the Goods and Chattels of the said Delinquent, by Warrant under the Hands and Seals of the said Commissioners, or any Three or more of them, directed to the Provost-Marshal, or his lawful Deputy, commanding him to take into his Possession such of the Goods and Chattels of the said Delinquent, as shall be sufficient to satisfy the said Penalty and Costs as aforesaid, and to sell the said Goods and Chattels within Twenty days after such Levy made, by Public Auction, at the Town nearest to the Place where the same shall be taken into his Possession as aforesaid: And the said Provost-Marshal, or his lawful Deputy, is hereby commanded, in the first Place, to pay out of the Proceeds of the said Sale, the Amount of the Penalty mentioned in the said Warrant, to the Treasurer of this Island for the Time being, to be applied to the Use of the Public thereof, then to reserve sufficient to defray all such Costs as may attend the said Levy, and afterwards to return the Overplus, if any, to the Owner of the said Goods and Chattels, any Thing in the hereinbefore mentioned Act contained to the contrary thereof notwithstanding.

Penalty on Persons not sending Slaves agreeable to the Summons

III. AND be it further Enacted, by the Authority aforesaid, That all Owners, Renters, or Possessors of any Number of Negroes or other Slaves, either less than One Hundred in the whole, or not divisible by the Number of One Hundred, without leaving a Fraction, shall send, under the Penalty hereinbefore mentioned, with such Tools and Utensils as aforesaid, to be employed as aforesaid, One able Negro Man Slave, for such part of the Time expressed in the said Notice or Summons, as bears the same Proportion to the whole Time therein expressed, as such less Number or Fraction bears to the Number of One Hundred: Provided always, That no Person who is not Owner or Possessor of more than Ten Slaves, shall be obliged to send any to be employed on the Works of *Brimstone-Hill*.

Proportion in which Slaves are to be sent.

Provido, That those who have only Ten Slaves shall be exempted.

IV. AND be it further Enacted, by the Authority aforesaid, That the Proportion of Slaves every Person shall be obliged to send, by Virtue of this or the beforementioned Act, shall be regulated from and according to the Lists last taken upon Oath, by the Persons appointed by the last Public Tax Act, to take the Lists in the several Parishes within this Island, and that the Proportion of Slaves every Person shall be obliged to send in every succeeding Year, shall be regulated from and according to the Lists that from the Time of issuing the said Warrant or Warrants, shall then have been last taken upon Oath, by the Persons who shall by the last Public Tax Act, that shall then have past for the said Island, have been appointed to take the Lists of Negroes and other Slaves, in the several Parishes within

List of Slaves to be taken from the List given in under the last Tax Act.

1789.

within this Island, any Thing in the hereinbefore mentioned Act contained to the contrary thereof in any wise notwithstanding.

Supervisor to
make Return of
Negroes employ-
ed.

President and
Speaker to pub-
lish Notice in
the News-Papers
of Defaulters, to
appear before
Commissioners
in each Parish.

Commissioners
to make Return
to the President
and Speaker, of
Defaulter's
Names, and the
Reasons given
by them for their
Default.

Commissioners
to issue Warrant
to levy Penalty.

Summonses by
the News-Papers
to be sufficient.

Fees to Provost-
Marshal.

President and
Speaker, and
Members of the
Council and As-
sembly to be
Commissioners.

To be in Force
for 3 Years.

V. AND be it further Enacted, by the Authority aforesaid, That the Negroes to be employed on *Brimstone-Hill*, and the Works necessary for its Defence, and also the Supervisor, shall be subject to such Orders, Directions, Rules, and Regulations, as are in and by the said hereinbefore mentioned Act directed: And that the said Supervisor shall be obliged, once in every Month, to make a Return to the President of the Council, and the Speaker of the Assembly, of every Person who shall refuse or neglect to send their Proportion of Negroes, to be employed on the Works hereinbefore mentioned: And the President and Speaker are hereby required, as soon after any such Returns shall have been made to them as possible, to issue a Notice or Summons in Writing, under their Hands, and cause the same to be inserted in the several Public News-Papers or Gazettes of this Island, requiring such Person or Persons so making Default, and whose Names shall be annexed to the said Notice or Summons, to appear at a certain Time in such Notice or Summons to be appointed, not exceeding Six Days after the Date of such Notice or Summons, before such One or more of the said Commissioners, whose Name or Names shall be specified in the said Notice or Summons, as shall be resident in the Parish in which such Defaulter or Defaulters shall also respectively reside, to answer for such his, her, or their Refusal or Neglect, which said Commissioner or Commissioners shall, within Three Days after the Time appointed by such Notice or Summons for such Appearance of the said Defaulter or Defaulters, make a Return in Writing, of the Name or Names of all such Person or Persons who shall appear before him or them, in Pursuance of such Notice or Summons, with the Reason by them respectively given for such their Neglect or Refusal, to the said President and Speaker, who shall thereupon without Delay, submit the same to the said other Commissioners, or any Two or more of them: And in Case such Person or Persons shall not appear according to such Summons, or appear and fail in making such Excuse, as shall by the said Commissioners, or a Majority of such of them, to whom the said Return shall be so submitted, be deemed sufficient, then the said Commissioners or any Three or more of them, shall proceed to issue their Warrant to the Provost-Marshal, or his lawful Deputy, commanding him to levy as hereinbefore directed.

VI. AND be it hereby further Enacted, by the Authority aforesaid, That all Notices or Summonses, which shall at any Time hereafter be issued by the said Commissioners, or any Three or more of them, in the Public News-Papers or Gazettes, pursuant to the Directions of this Act, requiring all Owners, Renters, or Possessors of Slaves within this Island, to send their Proportion thereof, to be employed as may be therein mentioned: And also all such Notices or Summonses, which shall at any Time hereafter, be by the President and Speaker issued and inserted in the Public News-Papers or Gazettes as aforesaid, requiring any such Person or Persons to appear in Manner aforesaid, as may have refused or neglected to send their Proportion of Slaves, pursuant to the Directions of such Notices or Summonses as aforesaid, shall be deemed, and is hereby declared to be as legal and effectual, as if the said Persons intended to be thereby summoned, were to be or had been hereby summoned, any Thing before, or in the said hereinbefore mentioned Act contained to the contrary thereof in any wise notwithstanding.

VII. AND be it further Enacted, by the Authority aforesaid, That the said Provost-Marshal, or his lawful Deputy, shall be entitled to and receive the Sum of Six Shillings for every Levy made in Pursuance of the Directions of this Act, besides the legal and customary Fees, on the Sale of any Effects levied upon, if such Sale shall be made.

VIII. AND be it further Enacted, by the Authority aforesaid, That instead of the several Persons named as Commissioners in the said hereinbefore mentioned Act, the following Persons shall be and are hereby appointed Commissioners for the Purposes in and by this and the said Act mentioned; *that is to say*, The President of the Council, and Speaker of the Assembly, for the Time being, together with all other the Members of His Majesty's Council for the Time being, and the Members of the present Assembly, during the Continuance thereof, and after the Expiration of the present Assembly, the Members of each succeeding Assembly, during the Continuance of this Act.

IX. AND be it further Enacted, by the Authority aforesaid, That the said hereinbefore mentioned Act, except where it is in and by this Act altered, shall be and remain in full Force; and that the said Act, together with this present Act, shall be in Force for Three Years from the Publication of this present Act, and from thence to the End or Expiration of the then sitting Assembly. Dated in *Antigua*, this Fourteenth Day of *December*, in the Thirtieth Year of the Reign of our Sovereign Lord *GEORGE* the Third, by the Grace of *GOD*, of *Great-Britain*, *France*, and *Ireland*, King, Defender of the Faith, and so forth, and in the Year of our Lord One Thousand Seven Hundred and Eighty-nine.

Read and passed the Assembly, this } JOHN GARNETT, { Read and passed the Council, this } 1789.
28th Day of October, 1789. } Speaker. { 18th Day of November, 1789. }
JAMES WARD, Clerk of Assen. E. MOORE, Clerk of Council.

THOMAS SHIRLEY.



Saint Christopher's. Published in the Town of Basseterre, on Thursday the 17th, and in the Towns of Old-Road and Sandy-Point, on Tuesday the 22d Days of December, in the Year of our Lord 1789.

GEO. BERKELEY, Dep. Pro. Marshal.

Recorded and Examined this 24th Day of December, 1789.

E. MOORE, Dep. Sec.

No. 285.

An Act for raising a Tax of Fifteen Shillings per Poll on all Negro and other Slaves, and Six Pounds per Centum on the Yearly Value of all Houses, Warehouses, Stores, Shops, and Tenements, within the several Towns of this Island, to be applied for and towards the Purchase of a certain Number of Negroes and other Slaves, for the Use of the Public of this Island; and for directing and appointing in what Manner such Negroes and other Slaves shall be employed.

No. 286.

An Act for the Relief of JOHN CHALLENGER, an Insolvent Debtor.

Private

No. 287.

An Act to restrain Thefts committed by Negro and other Slaves; and to prevent the dishonest Traffick carried on by such as deal with them.

WHEREAS it is become highly necessary, in Order to restrain the Thefts committed by Negro and other Slaves, and to prevent the dishonest Traffick carried on by such as deal with them, that the present Laws should be put in Force, and further Regulations added to them, We, Your Majesty's most dutiful and loyal Subjects, the Governor in Chief of all Your Majesty's Leeward Charribbee Islands in America, and the Council and Assembly of the said Island of Saint Christopher, pray Your most Excellent Majesty that it may be Enacted; And it is hereby Enacted, by the Authority aforesaid, That if any Negro or other Slave shall have in his Possession, in any of the Towns in this Island, or in any of the Roads leading to the same, any Sugar, Syrup, Cotton, Molasses, Rum, Canes, Sprouts, Magofs, Pewter, Brass, Copper, Iron, Lead, Oats, Lumber of all Kinds, Plantation Articles or Utensils, or any Kind of Merchandize, except such Provisions as may have been given them for Allowance, without a Ticket or Paper from his Master or Mistress, containing an Account of the same in his Possession, or without his Master or Mistress being present, every such Negro or other Slave shall be apprehended, and carried before some Justice of the Peace of the said Island, who shall, by his Warrant, commit such Negro or other Slave to the Public Gaol or Cage of the said Island, there to remain until the said Justice, or some other Justice, shall try the said Negro or other Slave: Provided, That such Trial shall be had within the Space of Forty-eight Hours after the Commitment, otherwise the Negro or other Slave shall be discharged without Trial: And in Case such Negro or other Slave shall be convicted by such Justice, of such Possession as aforesaid, then such Negro or other Slave shall be publicly whipped, at such Time or Times as the said Justice shall think proper: And every Person apprehending and carrying before such Justice, any Negro or other Slave, who shall be convicted as aforesaid, shall receive the Sum of Eight Shillings and Three Pence for his Reward in so doing, as a Charge incident to the said Conviction, and to be paid by the Owner or Possessor of such Slave so convicted: And that

Slaves being found possessed of Sugar, &c. without a Ticket, to be apprehended.

Justice of the Peace to try them within 48 Hours after being apprehended.

Punishment on Conviction.

Reward to Persons apprehending them.

1795.

all such Sugar, Syrup, Cotton, Molasses, Rum, Canes, Sprouts, Magos, and Oats, which such Negro or other Slave shall have in his Possession, shall become forfeited to such Informer, and all such other Articles hereinbefore mentioned to be returned to the Owner, he or they proving their Property in such Articles.

Penalty on white or free Persons purchasing from Slaves, without a Ticket.

II. AND be it Enacted, by the Authority aforesaid, That if any White or Free Person or Persons shall treat for, cheapen, or bargain, or purchase, or cause to be treated for, cheapened, or bargained for, or purchased from any Negro or other Slave, any Sugar, Syrup, Cotton, Molasses, Rum, Canes, Sprouts, Magos, Pewter, Brads, Copper, Iron, Lead, Oats, Lumber of all Kinds, Plantation Articles or Utensils, or any Kind of Merchandize, except such Provisions as may have been given to them for Allowance whatsoever, without such Ticket as aforesaid, such Person or Persons shall, upon Conviction, for the First Offence against this Act, be subject to the Penalty of Ten Pounds, current Money; or if the Goods shall exceed Ten Pounds in Value, then to pay double the Value of such Goods, and suffer One Month's Imprisonment: And in Case of Neglect or Refusal to pay the said Penalty, be subject to a further Imprisonment of Two Months; and for the Second and every other succeeding Offence, be subject to the Penalty of Twenty Pounds, and Three Months Imprisonment, or double the Value of the Goods, should the same exceed the Value of Twenty Pounds, and suffer the like Imprisonment; and in Case of Refusal or Neglect to pay the said Penalty, be subject to a further Imprisonment of Three Month; the One Fourth Part of such Penalty to be paid to the Person or Persons who shall discover such Offence; and the other Three-fourths to be paid into the Treasury of the said Island, for the Use of the Public of the said Island: And if any Negro or other Slave shall be convicted before One or more Justices of the Peace of having purchased from any other Slave, any of the Articles before mentioned, such Negro or other Slave so convicted, shall be publicly whipped at the Discretion of such Justice or Justices, not exceeding Fifty Lashes.

How to be disposed of.

Punishment of Slaves for the like Offence.

Justices to issue a Warrant to search suspected Houses, upon Information given on Oath by any White or Free Person.

If Sugar, &c. shall be found in any House, the Master or Mistress whereof cannot give a good Account how they came there, they shall be subject to the Penalties imposed by this Act.

III. AND be it further Enacted, by the Authority aforesaid, That in Case any White or Free Person shall, upon Oath, declare that he has Cause to suspect, and verily believes that any Sugar, Syrup, Cotton, Molasses, Rum, Canes, Sprouts, Magos, Pewter, Brads, Copper, Iron, Lead, Oats, Lumber of all Kinds, Plantation Articles or Utensils, or any Kind of Merchandize, except such Provisions as may have been given to Slaves for Allowance, has been purchased from any Negro or other Slave, and is concealed in any Place or Places whatsoever, it shall and may be lawful for any Justice, on such Oath as aforesaid, to issue his Warrant or Warrants, to search such Place or Places; and if any Sugar, Syrup, Cotton, Molasses, Rum, Canes, Sprouts, Magos, Pewter, Brads, Copper, Iron, Lead, Oats, Lumber of all Kinds, Plantation Articles or Utensils, or any Kind of Merchandize, except such Provisions as may have been given to Slaves for Allowance, shall be found in such Place or Places, and the Person or Persons inhabiting therein, or having the Command of the same, shall not be able to give a satisfactory and honest Account of the Manner in which the said Sugar, Syrup, Cotton, Molasses, Rum, Canes, Sprouts, Magos, Pewter, Brads, Copper, Iron, Lead, Oats, Lumber of all Kinds, Plantation Articles or Utensils, or other Merchandize, except such Provisions as may have been given to Slaves for Allowance, came into such Place or Places, that then the Person or Persons, inhabiting or having such Command as aforesaid, shall be considered as having purchased such Sugar, Syrup, Cotton, Molasses, Rum, Canes, Sprouts, Magos, Pewter, Brads, Copper, Iron, Lead, Oats, Lumber of all Kinds, Plantation Articles or Utensils, or other Merchandize, except such Provisions as may have been given to them for Allowance, from some Negro or other Slave, and be subject to the Penalties imposed by this Act for so doing.

Appointment of Supervisors.

Supervisor's Salary.

Their Duty.

Penalty on their Neglect thereof.

IV. AND be it Enacted, by the Authority aforesaid, That for the better Execution of this Act, and all other Acts of a similar Nature, there shall be appointed by the Governor or Commander in Chief for the Time being, at the Recommendation of the Council and Assembly, Two Persons as Supervisors of the Town of *Basseterre*, One Person for the Town of *Old-Road*, One Person for the Town of *Sandy-Point*, and One Person for the Town of *Deep-Bay*; each of which Supervisors shall receive from the Public Treasury of the said Island, the annual Sum of Fifty Pounds, by even Quarterly Payments, as long as they shall continue in the said Office; and such Supervisors shall, from Time to Time, be removable, and others be appointed in their Stead, by the Governor or Commander in Chief aforesaid, on the Recommendation aforesaid, and not otherwise: And the said Supervisors, and every of them, are hereby required and commanded to be watchful and diligent in endeavouring to detect, and apprehend and bring to Justice, all Offenders against this Act, and all other Acts of a similar Nature; and they are also required and commanded, at any Meeting of the Council and Assembly, when summoned or required by any Member of the Council and Assembly, to appear and answer all such Questions upon Oath as shall be put to them, or any of them, either in the Council or Assembly, respecting their Conduct in their said Offices: And such of the said Supervisors as shall neglect to appear as aforesaid,

said, or shall be declared by any Resolution of the Council and Assembly, not to have been watchful and diligent in the Execution of their Offices, shall forfeit for every such Offence, the Sum of Fifty Pounds, to be paid into the Treasury of the said Island, for the Use of the Public of the same: And in Case of Refusal or Neglect to pay the same, such Supervisors so neglecting or refusing, shall suffer Three Months Imprisonment, and such Supervisors offending as aforesaid, shall forfeit his Office, and be rendered incapable of holding the same at any Time thereafter; and the said Supervisor shall also forfeit all such Sum or Sums of Money, as shall be due to him for such Salary, at the Time of being convicted in Manner as hereinbefore is directed, for having offended contrary to the Directions of this Act: And from and immediately after such Forfeiture of Office as aforesaid, the Governor or Commander in Chief for the Time being, at the Recommendation of the Council and Assembly of this Island, shall appoint some Person to act as Supervisor in the Stead of such Person so removed as aforesaid.

V. AND be it Enacted, by the Authority aforesaid, That no Negro or other Slave, belonging to this Island, shall be permitted to be in any of the Streets or Alleys of the Towns thereof, between the Hours of Ten o' Clock at Night, and Five in the Morning, without a Ticket or Note, or a lighted Candle in a Lanthorn, from his or her Master or Mistress; and the Supervisors hereinbefore appointed, are directed to use due Diligence in apprehending such Negro or other Slaves, offending as aforesaid, and committing him, her, or them to any Cage that shall be erected, for the Purpose of confining Negroes, for which the said Supervisor shall have and receive Nine Pence *per* Day, for providing each Negro with Provisions, or to the Common Gaol of this Island, to be examined and punished in such Manner as any Two Justices of the Peace shall direct for that Purpose, not exceeding Thirty-nine Lashes: And the Owner or Owners of such Negro or other Slave are hereby directed to pay the Expences attending the apprehending, Commitment, and Conviction of such Slave or Slaves.

VI. AND be it further Enacted, by the Authority aforesaid, That in Case any White or Free Person shall beat or ill-treat, or take away from any Negro or other Slave, by Force, or without his or her Consent, any Article or Articles; for which such Negro or other Slave shall produce a Ticket, or shall beat or ill-treat, or take away from such Negro or other Slave, by Force, without his or her Consent, any Articles whatsoever, which the said Negro or other Slave is authorized to sell and dispose of, that then, and in such Case, upon Complaint made to any Justice of the Peace in this Island, of the same, by the Master or Mistress of such Negro or other Slave, such Justice shall and is hereby directed to order such Person or Persons before him and any other Justice of the Peace, in Order to examine into such Complaint; and in Case such Justices shall think it necessary, they may examine such Person or Persons upon Oath, with Respect to the said Complaint; who shall then be compelled to answer upon Oath such Questions as the Justices may put, and if he or she do not make it appear to the Satisfaction of such Justices, that he or she did not beat or ill-treat, or take away by Force, or without the Consent of such Negro or other Slave, any of the Articles for which he or she are charged in such Complaint, he or she so refusing, shall be fined at the Discretion of the said Justices, any Sum not exceeding Ten Pounds, current Money, for each Offence; to be recovered by Warrant under the Hands and Seals of the said Justices of the Peace, directed to any Constable of this Island, commanding him to levy on the Goods and Chattels of such Offender or Offenders, sufficient to pay such Fine, with all Costs and Charges attending the same; and for Want of such Goods and Chattels, to commit such Offender or Offenders to the Common Gaol of this Island, for any Time not exceeding Thirty Days: And in Case any Person shall refuse to attend such Justice or Justices of the Peace, when thereunto required, to answer any Complaint made against him or her, in Manner as above directed, such Person shall forfeit the Sum of Fifty Pounds, current Money; to be levied and recovered in like Manner as is directed in the Case of beating, ill-treating, or taking away any of the Articles from any Negro or other Slave, in Manner hereinbefore is directed; and for Want of sufficient Goods and Chattels to pay such Fine, the Person so offending as aforesaid, shall be committed to the Common Gaol of this Island, for the Space of Three Months.

VII. AND be it further Enacted, by the Authority aforesaid, That every White or Free Person, who shall be found selling by Retail Sugar, Syrup, Rum, or Molasses, shall be obliged, as often as required, by any two Justices of the Peace, to produce a Certificate under the Hand-writing, and with the Signature of the Person or Persons from whom they purchased the same; and upon Refusal thereof, they shall be considered as having purchased the same of Negroes, without Licence or Ticket, against the Regulations of this Act, and suffer the Fines and Penalties as is thereby directed.

VIII. AND be it further Enacted, by the Authority aforesaid, That all Fines and Penalties laid and imposed by this Act, and not hereinbefore applied, shall be paid into the Hands of the Public Treasurer of this Island, to be applied in such Manner as the First Person in Command

1790.

Negroes to be apprehended who are found in the Streets or Alleys of the Towns, between the hours of 10 at Night & 5 in the Morning, without a Ticket, &c. and to be committed to the Cage of Gaol.

Punishment on Conviction.

Owners to pay Expences

Penalty on Persons who take away Goods from Slaves, which they are authorized to sell, or beating or ill-treating them.

Penalty on Persons not attending when summoned by Justices.

Penalty on Persons selling Sugar, &c. by Retail, without having a Certificate.

How Penalties to be disposed of.

1790.

Command in this Island, by and with the Advice and Consent of the Council and Assembly shall direct and appoint.

General Issue.

IX. AND it is hereby further Enacted, by the Authority aforesaid, That in Case any Action, Suit, or Prosecution, shall be commenced or carried on against any Justice or Justices, Supervisor or Supervisors, or other Person or Persons, for any Matter or Thing done under or by Virtue of this Act, it shall and may be lawful for every such Justice or Justices, Supervisor or Supervisors, or other Person or Persons, Defendant or Defendants in such Action, Suit, or Prosecution, to plead the General Issue, and give the Special Matter in Evidence: And in Case any Plaintiff or Plaintiffs, Prosecutor or Prosecutors in such Action, Suit, or Prosecution, against any such Justice or Justices, Supervisor or Supervisors, or other Person or Persons as aforesaid, be nonsuited, or that Judgment shall go against such Plaintiff or Plaintiffs, Prosecutor or Prosecutors, by Default, Discontinuance upon Verdict, or Demurrer, that then such Plaintiff or Plaintiffs, Prosecutor or Prosecutors, shall pay to such Defendant or Defendants Treble Costs, and Damages sustained by such Action, Suit, or Prosecution as aforesaid. Dated in *Antigua*, the Fourth Day of *May*, in the Thirtieth Year of the Reign of our Sovereign Lord *GEORGE* the Third, by the Grace of God, of *Great-Britain, France, and Ireland*, King, Defender of the Faith, and in the Year of our Lord One Thousand Seven Hundred and Ninety.

Treble Costs.

Read and passed the Assembly, the } JOHN GARNETT, { Read and passed the Council, this
15th Day of April, 1790. } Speaker. } 27th Day of April, 1790.

JAMES WARD, Clerk of Assen.

E. MOORE, Clerk of Council.

Passed by the Governor in Chief the 4th Day of *May*, 1790, and in the 30th Year of His Majesty's Reign.

THOMAS L. S. SHIRLEY.

Saint Christopher. Published in the Town of *Basseterre*, on Thursday the 6th, and in the Towns of *Old-Road* and *Sandy-Point*, on Friday the 7th Days of *May*, in the Year of our Lord One Thousand Seven Hundred and Ninety.

GEO. BERKELEY, Dep. Pro. Marshal.

Recorded and examined the 10th Day of *May*, 1790.

E. MOORE, Dep. Sec.

No. 288.

Expires in 1793.

An Act for appointing *ANTHONY HART* and *CHARLES THOMSON*, Joint Agents for the Island of *Saint Christopher*, in the Kingdom of *Great-Britain*, and for settling a Salary upon them during their Agency.

No. 289.

An Act to Amend, Explain and Render more effectual, An Act, intituled, An Act, for regulating and laying a Tax on all Vintners, and Retailers of Spirituous Liquors; for laying a Duty on Rum sold by Retail for lessening the Number of Distillers; and for the more effectual Prevention and Discouragement of such Vintners and Retailers of Spirituous Liquors, from harbouring, entertaining, and concealing Soldiers, Sailors, and Negroes and other Slaves; and for laying a Tax on Billiard-Tables, Shuffle-Boards, and Skittle-Alleys.

Preamble.

WHEREAS an Act passed on the Eighteenth Day of *February*, in the Twenty-ninth Year of the Reign of Our Sovereign Lord *GEORGE*, the Third by the Grace of God, of *Great-Britain, France, and Ireland*, King, Defender of the Faith, and so forth, and in the Year of our Lord One Thousand Seven Hundred and Eighty-nine, intituled "An Act, for regulating and laying a Tax upon all Vintners and Retailers of Spirituous Liquors, for laying a Duty on Rum sold by Retail for lessening the Number of Distillers, and for the more effectual Prevention and Discouragement of such Vintners and Retailers of Spirituous Liquors, from harbouring, entertaining and concealing Soldiers, Sailors, and Negroes and other Slaves; and for laying a Tax on Billiard-Tables, Shuffle-Boards, and Skittle-Alleys," has been found defective; for Remedy whereof, We, Your Majesty's

Majesty's most dutiful and loyal Subjects, the Council and Assembly of this Your Majesty's 1791. Island of Saint *Christopher*, do most Humbly Beseech Your Majesty, that it may be Enacted; And be it and it is hereby Enacted, by the Kings most Excellent Majesty by and with the Advice and Consent of the Commander in Chief of all His Majesty's Leeward *Charribbee* Islands in *America*, and the Council and Assembly of this his Island of Saint *Christopher*, and by the Authority of the same, That from and after the Publication of this Act, if any Person or Persons whatsoever shall Sell or Retail any Wine, Beer, Ale, Cider, Arrack, Brandy, or Geneva, or any other Spirituous Liquors whatsoever (Rum excepted), mixed or unmixed, by whatsoever Name or Names they may be called, publicly or privately, in any less Quantity than Six Gallons at one Time; without first taking out such Licence or Licences, as are particularly directed in and by the before mentioned Act, such Person or Persons offending as aforesaid, being thereof duly convicted in manner, in the aforesaid Act prescribed, shall forfeit and pay for every such Offence, the Sum of One Hundred Pounds, current Money: And if any Person or Persons whatsoever shall Sell or Retail any Rum mixed or unmixed, by whatsoever Name or Names, the same may be called publicly, or privately, in any less Quantity than Twenty Gallons at one Time, without first taking out such Licence or Licences as are particularly directed in, and by the aforesaid Act, such Persons or Persons offending as aforesaid, being thereof duly convicted, in Manner as in the aforesaid Act prescribed, shall forfeit and pay for every such Offence, the Sum of One Hundred Pounds, current Money: And if any Person or Persons whatsoever shall keep any Billiard-Tables, Shuffle-Boards, and Skittle-Alleys, for public resort, or to make a profit of the same, without having first obtained such Licence, or Licences, as are also particularly directed in and by the aforesaid Act such Person or Persons Offending as aforesaid being duly Convicted in Manner, as in the aforesaid Act, prescribed, shall forfeit and pay for every such Offence, the Sum of Two Hundred Pounds, current Money: Any thing contained in the aforesaid Act, to the contrary thereof in any wise notwithstanding.

II. AND be it further Enacted, by the Authority aforesaid, That if any Person or Persons whatsoever, who hath taken out Licence or Licences, for Retailing Spirituous Liquors, pursuant to the directions of the aforesaid Act, shall at any Time hereafter, after the expiration of the Time limited for the continuance of such Licence or Licences, be found selling by retail any Wine, Beer, Ale, Cider, Arrack, Brandy, or Geneva, Rum, or any other Spirituous Liquors, mixed or unmixed in any manner whatsoever, without renewing their said Licence, or Licences, such Person or Persons so Offending, being thereof legally Convicted, shall forfeit and pay the Sum of One Hundred Pounds, current Money, and shall be rendered incapable of taking out any Licence, or Licences, for those purposes for the space of Twelve Months, next ensuing such, his, her, or their Conviction, any thing in the said hereinbefore mentioned Act, contained to the contrary thereof in any wise notwithstanding.

III. AND be it further Enacted, by the Authority aforesaid, That if any Person or Persons, whatsoever shall keep any Billiard-Tables, Shuffle-Boards, or Skittle-Alleys or any other Instrument of Gaming for the purpose of Public resort or to make a profit of the same after the time limited by the Licence, or Licences, which shall be granted to him, her, or them, for permitting such Person or Persons to keep such Billiard-Tables, Shuffle-Boards, Skittle-Alleys, or other Instruments for the purpose of Gaming, every Person Offending as aforesaid, and being thereof duly Convicted, shall forfeit and pay the Sum of Five Hundred Pounds, current Money, and shall be also rendered incapable of taking out any Licence, or Licences, for those purposes, for the space of Twelve Months next ensuing, such his, her, or their Conviction as aforesaid, any Thing in the aforesaid Act contained to the contrary thereof in any wise notwithstanding.

IV. AND for the better discovering, and bringing to punishment, all such Persons who shall, contrary to the directions of this Act, sell by retail, any Spirituous Liquors mixed, or unmixed, without a Licence: Be it further Enacted, by the Authority aforesaid, That it shall, and may be lawful, for any One of His Majesty's Justices of the Peace in the said Island of Saint *Christopher*, upon complaint made, and information given to him, That any Person or Persons, is, or are, selling Spirituous Liquors, by retail, without a Licence, to issue his Warrant, requiring every such Person or Persons, who shall be suspected of selling any Spirituous Liquors by retail, without a Licence to attend him, at such Time, and Place, as he shall therein direct: And in Case such Person or Persons suspected as aforesaid, of selling Spirituous Liquors, by retail, without Licence, do not then acquit him, her, or themselves upon Oath, (which Oath the said Justice is hereby empowered to administer), by denying that he she, or they, hath, or have, sold any Spirituous Liquors, mixed or unmixed, by retail, without a Licence first had and obtained, pursuant to the directions of the aforesaid Act, and which Licence is still in force and unexpired, that then, and in such Case, such Person or Persons, shall be deemed and looked upon to be

D d d

If any Person shall sell or retail Wine, Beer, &c. (Rum excepted) mixed or unmixed, in less quantity than Six Gallons with out Licence shall forfeit.

(upon being duly convicted)
£. 100.

To retail Rum mixed or unmixed in less quantity than 20 gallons, without Licence.

Penalty £. 100

For Licence to keep Billiard-Table &c.
£. 200

If kept or used for gain without Licence Penalty £. 200

To retail Liquors, &c. after expiration of Licence & without renewing it, Penalty £. 100

To keep a Billiard-Table after Expiration of Licence
£. 500

Any Justice (upon Complaint or Information of any Person or Persons offending against this Act) shall and may issue his Warrant to bring such Person or Persons before him.

And if Person charged or suspected doth not acquit himself or herself upon Oath.

Shall be deemed and looked upon Convicted and shall forfeit and pay the Penalty prescribed.

Convicted

1791. Convicted of such Offence, and shall be by such said Justice adjudged to forfeit and pay the Penalty as is in and by this Act prescribed for all such Offences.

Penalty to be levied and applied as directed by Act passed the 18th Feb. 1789.

V. AND be it further Enacted, by the Authority aforesaid, That all the Fines, Forfeitures, and Penalties, in and by this Act, laid and imposed, shall be levied, recovered, and applied in like Manner, as the Fines, Forfeitures, and Penalties are directed in and by the said before mentioned Act, to be levied, recovered, and applied. Dated in *Antigua*, the Eighth Day of *March*, in the Thirty-first Year of the Reign of our Sovereign Lord *GEORGE* the Third, by the Grace of GOD, of *Great-Britain, France, and Ireland*, King Defender of the Faith, and so forth, and in the Year of our Lord One Thousand Seven Hundred, and Ninety-one.

Read and passed the Assembly, this } JOHN GARNETT, { Read and passed the Council, this
11th Day of January 1791. } Speaker. { 23d Day of February, 1791.
JAMES WARD, Clerk of Assen. E. MOORE, Clerk of Council.

THOMAS L. S. SHIRLEY.

Saint Christopher. Published in the Town of *Basseterre*, on Tuesday the Fifteenth, and in the Towns of *Old-Road* and *Sandy-Point*, on Wednesday the Sixteenth Days of *March*, in the Year of our Lord One Thousand Seven Hundred and Ninety-one.

GEO. BERKELEY, *Dep. Pro. Marshal*.

Recorded and examined this 21st Day of *March*, 1791.

E. MOORE, *Dep. Sec.*



FINIS.